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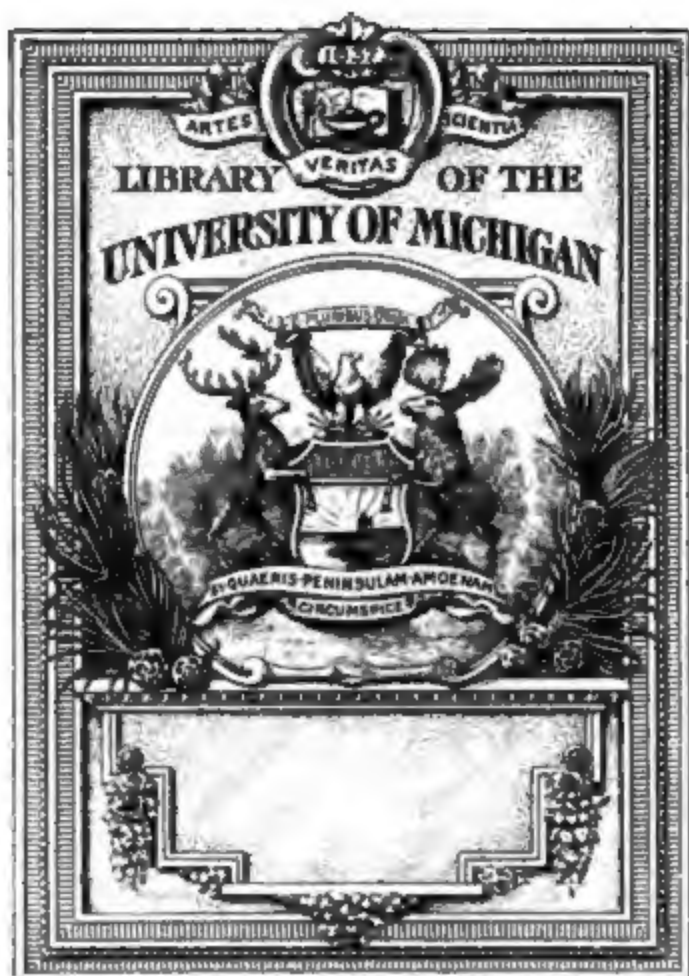
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JOURNAL
OF THE
CONSTITUTIONAL
CONVENTION
OF THE
PEOPLE OF GEORGIA,

**HELD IN THE CITY OF ATLANTA IN THE MONTHS
OF JULY AND AUGUST, 1877.**

ATLANTA, GEORGIA:
JAS. P. HARRISON & CO., STATE PRINTERS AND PUBLISHERS.
1877.

Resolution.

Resolved, That the Committee on Printing be authorized to contract with JAMES P. HARRISON & Co. for the printing of the Journal, Constitution, Ordinances and Resolutions of the Convention.

[ONE THOUSAND COPIES ORDERED BY THE COMMITTEE.]

Committee on Printing :

D. B. HARRELL, Chairman ; W. T. THOMPSON,
S. HALL, GEO. ROBERTS.
B. E. RUSSELL.

JOURNAL

OF THE

CONSTITUTIONAL CONVENTION

OF GEORGIA.

ATLANTA, GEORGIA,
WEDNESDAY, July 11, 1877.

At 12 o'clock M. the delegates elect to the Constitutional Convention met in the hall of the House of Representatives.

Hon. L. J. Gartrell, of the Thirty-fifth District, called the delegates to order, and moved that the Hon. T. L. Guerry, of the Twelfth District, be called to the Chair as temporary President, which motion prevailed.

Upon motion of Hon. L. N. Trammell, of the Forty-second District, M. A. Harden and E. B. Thomas, Esqrs., were requested to act as temporary Secretaries.

The roll of the delegates elect was called, and the following delegates answered to their names:

First District—John M. Guerard, S. F. Keller, A. R. Lawton, Warring Russell, John Screven, A. G. Smith, W. T. Thompson, J. L. Warren.

Second District—H. F. Horne, W. F. Conley, W. R. Gignilliatt.

Third District—C. C. Grace, Seaborn Hall.

Fourth District—M. L. Mershon, J. R. Bachlott.

Fifth District—W. A. McDonaid, J. M. Spence.

Sixth District—B. L. Stephens, J. D. Knight.

Seventh District—J. L. Seward, A. H. Hansell, J. B. Creech, Henry Gay.

Eighth District—John S. Clifton, J. B. Twitty, B. E. Russell, J. E. Donalson.

Ninth District—J. H. Hand, Green Whiddon, B. Chan-
cey.

Tenth District—Nelson Tift, John A. Davis, R. R. Jen-
kins, Wm. Wells.

Eleventh District—L. C. Sale, David Goff, B. F. Bur-
nett, S. L. Williams.

Twelfth District—J. L. Wimberley, J. W. Stokes, T. L.
Guerry, D. B. Harrell.

Thirteenth District—A. H. Greer, J. C. Ellington, J. R.
Respass, J. V. Scott, G. F. Cooper, T. M. Furlow.

Fourteenth District—R. W. Anderson, O. P. Swearin-
gen, D. F. McCrimmon, David Sapp.

Fifteenth District—M. N. McRae.

Sixteenth District—Neil McLeod, J. H. Hicks, J. T.
Coney.

Seventeenth District—H. H. Perry, W. B. Jones, J. B.
Heath, W. D. Brannen, J. C. Dell.

Eighteenth District—C. J. Jenkins, R. H. May, G. R.
Sibley, Adam Johnson, J. G. Cain, D. G. Phillips, W. G.
Braddy.

Nineteenth District—M. W. Lewis, B. N. Sanders, C.
Heard, J. S. Johnson, G. F. Bristow.

Twentieth District—F. L. Furman, T. F. Newell, R.
L. Warthen, H. N. Hollifield, C. W. DuBose, Geo. F.
Pierce, Jr.

Twenty-first District—E. L. Grier, A. L. Hamilton, E.
J. Coates, F. Chambers, P. W. Edge.

Twenty-second District—Wm. H. Ross, Wm. A. Lof-

tin, T. J. Simmons, A. D. Hammond, L. A. Ponder, W. H. H. Bush, J. A. Hunt, T. J. Barrett.

Twenty third District—Eli Warren, B. F. Tharpe, J. M. Davis, W. S. Wallace, B. W. Sanford, M. D. Stroud.

Twenty-fourth District—Francis Fontaine, Porter Ingram, Wm. A. Little, John W. Hewell, James D. Wilson.

Twenty-fifth District—E. A. Flewellen, John Dickey, J. T. Willis, J. M. Mobley, Wm. I. Hudson, W. R. Gorman.

Twenty-sixth District—John H. McCallum, F. D. Dismuke, C. S. Westmoreland, R. R. Rodgers.

Twenty-seventh District—E. B. Rosser, J. M. Pace, O. S. Porter, T. A. Gibbs, A. B. Jackson, Pope Barrow.

Twenty-eighth District—T. G. Lawson, R. B. Nisbet, Augustus Reese, Joshua Hill, John C. Key.

Twenty-ninth District—R. Toombs, W. M. Reese, H. R. Casey, J. N. Mercier, Paul C. Hudson.

Thirtieth District—J. D. Matthews, W. G. Johnson, W. W. Scott, Wm. H. Mattox.

Thirty-first District—D. O. Osborn, S. H. Moseley, T. G. Underwood.

Thirty-second District—A. F. Underwood, Wier Boyd.

Thirty-third District—D. A. Camp, J. J. J. Shepherd, M. Graham, M. Bryant.

Thirty-fourth District—R. D. Winn, S. G. Howell, Jas. Polk, L. J. Winn, Lewis M. Tye.

Thirty-fifth District—L. J. Gartrell, P. L. Mynatt, John Collier, N. J. Hammond, B. E. Crane, J. T. Spence, A. C. McIntosh, G. W. Roberts, J. W. Robertson.

Thirty sixth District—John T. Glover, J. T. Longino, Hugh Buchanan, L. H. Featherston, W. A. J. Phillips, R. D. Render.

Thirty-seventh District—W. O. Tuggle, N. G. Swanson, L. L. Hardy, S. W. Harris, R. L. Rowe, T. M. Awbry.

Thirty-eighth District—N. J. Tumlin, J. G. Denton, W. J. Head.

Thirty-ninth District—J. R. Brown, A. W. Holcombe, Elias E. Fields, Oliver Clarke.

Fortieth District—C. J. Wellborn, J. G. Stephens.

Forty-first District—David Garren, E. J. Henry, W. T. Day.

Forty Second District—W. T. Wofford, Abda Johnson, John H. Fitten, A. R. Wright, S. Hawkins, D. B. Hamilton, N. Bass.

Forty-Third District—S. M. Carter, W. K. Moore, L. N. Trammell, J. C. Fain.

Forty-Fourth District—N. Lowe, R. M. Paris, T. G. McFarland.

The President announced that a quorum was present, and that the Convention was ready to proceed with business.

The Hon. D. B. Harrell, of the Twelfth District, moved that the Convention proceed to a permanent organization, which motion prevailed.

Hon. A. R. Lawton, of the First District, nominated Hon. Charles J. Jenkins, of the Eighteenth District, for permanent President, and moved his election by acclamation, which motion prevailed.

Upon motion of the Hon. George F. Pierce, of the Twentieth District, a committee of three was appointed to wait upon Hon. Charles J. Jenkins, notify him of his election, request his acceptance, and conduct him to the Chair.

The President appointed Messrs. Pierce, Hill and Furlow, as said committee, who escorted the President elect to the Chair.

Hon. J. C. Fain, of the Forty-second District, introduced the following resolution :

Resolved, That the President of this Convention appoint a committee of nine, consisting of one delegate from each

Congressional District, which committee shall secure all necessary clerical labor for the Convention, and supervise and control the same during its session; and to this end the said committee shall have power and authority to appoint a Secretary for the Convention, who will undertake to have performed all the clerical labor for the Convention, for not exceeding thirty dollars per day. When so appointed, the Secretary shall give bond in such sum, and on such condition, for the faithful performance of his duties, as may be prescribed by the said committee.

Resolved further, That until said committee shall have concluded the contract herein contemplated, the temporary Secretary be requested to continue in the discharge of the duties of Secretary, and have all necessary clerical labor performed, whose compensation therefor shall be fixed by the said committee.

Hon. J. A. Davis, of the Tenth District, offered the following as a substitute to the resolution:

Resolved, That the roll of delegates be called immediately, and that members present vote *viva voce* for Secretary, Door-keeper, and Messenger of the Convention, and the persons having a majority of the votes be elected.

The question was put upon the acceptance of the substitute.

Hon. J. C. Fain, of the Forty-third District, called for a division. A division was taken, but before announcement, Hon. Mr. Moore, of the Forty-third District, called for the yeas and nays. The call was sustained, which resulted as follows:

Those voting in the affirmative were Messrs.—

First District.

Warren, J. L.,
Guerard,
Keller,
Lawton,

Russell, W.,
Screven,
Smith, A. G.,
Thompson, W. T.

Second District.

Horne,
Conley,
Gignilliat.

Third District.

Grace.
Hall.

Fourth District.

Mershon,
Bachlott.

Fifth District.

McDonald,
Spence, J. M.

Sixth District.

Stephens, B. L.,
Knight.

Seventh District.

Seward,
Creech,
Hansell,
Gay.

Eighth District.

Clifton,
Twitty,
Russell, B. E.,
Donaldson.

Ninth District.

Chancy.

Tenth District.

Tift,
Davis, J. A.,
Jenkins, R. R.

Eleventh District.

Sale,
Williams.

Twelfth District.

Wimberley,

Stokes,
Guerry.

Thirteenth District.

Ellington,
Respass,
Scott, J. V.

Fourteenth District.

Anderson,
Sapp.

Fifteenth District.

McRae.

Sixteenth District.

McLeod,
Hicks,
Coney.

Seventeenth District.

Perry,
Jones, W. B.,
Heath,
Brannen,
Dell.

Eighteenth District.

Sibley,
Braddy.

Nineteenth District.

Lewis,
Sanders,
Heard,
Johnson, J. S.,

Twentieth District.

Furman,
Newell,
DuBose,
Pierce.

Twenty first District.

Greer, E. C.,
Hamilton, A. S.,

Coats,
Chambers,
Edge.

Twenty-second District.

Ross,
Lofton,
Hammond, A. D.,
Ponder,
Bush,
Barrett,

Twenty-third District.

Warren, Eli,
Davis, J. M.,
Wallace,
Stroud.

Twenty-fourth District.

Wilson.

Twenty-fifth District.

Dickey.
Hudson, W. I.,
Gorman.

Twenty-sixth District.

McCallum,
Dismuke,
Westmoreland,
Rodgers,

Twenty-seventh District.

Rosser,
Pace,
Porter,
Gibbs,
Jackson,
Barrow.

Twenty-eighth District.

Lawson,
Nisbet,

Reese, A.,
Hill,
Key.

Twenty-ninth District.

Reese, W. M.,
Casey,
Mercier.

Thirtieth District.

Matthews,
Scott, W. W.,
Mattox.

Thirty-first District.

Osborne,
Moseley.
Underwood, T. G.

Thirty-second District.

Underwood, A. F.,
Boyd.

Thirty-third District.

Graham,
Camp,
Shepherd.

Thirty-fourth District.

Winn, R. D.,
Howell,
Hoke,
Winn, L. J.,
Tye.

Thirty-fifth District.

Gartrell,
Mynatt,
Hammond, N. J.,
Spence, J. T.,
McIntosh.

Thirty-sixth District.

Glover,

Logino, Buchanan, Featherston, Phillips, W. A. J., Render.	Awbrey. <i>Thirty-eighth District.</i> Denton. <i>Thirty-ninth District.</i> Clark. <i>Forty-first District.</i> Henry. <i>Forty-second District.</i> Wofford, W. T., Johnson, Abda, Fitten.
<i>Thirty-seventh District</i> Tuggle, Swanson, Hardy, Harris, Roe,	
Those voting in the negative were Messrs.—	
<i>Ninth District.</i> Hand, Whiddon. <i>Tenth District.</i> Wells. <i>Eleventh District.</i> Goff, Burnett. <i>Twelfth District.</i> Harrell. <i>Thirteenth District.</i> Cooper, Furlow. <i>Fourteenth District.</i> Swearingen. <i>Eighteenth District.</i> Johnson, A., Cain, Phillips, D. G. <i>Twentieth District.</i> Warthen, Hollifield.	<i>Twenty-second District.</i> Simmons. <i>Twenty-third District.</i> Tharpe. <i>Twenty-fourth District.</i> Fontaine, Ingram, Little, Hewell. <i>Twenty-fifth District.</i> Flewellen, Mobley, Willis. <i>Twenty-ninth District.</i> Toombs, Hudson, P. C. <i>Thirtieth District.</i> Johnson, W. G. <i>Thirty-fifth District.</i> Crane, Roberts, Robertson.

Thirty-eighth District.

Tumlin,
Head.

Thirty-ninth District.

Brown,
Holcombe,
Fields.

Fortieth District.

Wellborn,
Stevens, J. G.

Forty-first District.

Garren,
Day.

Forty-second District.

Hawkins,
Hamilton, D. B.,
Bass.

Forty-third District.

Carter,
Moore,
Trammell,
Fain.

Forty-fourth District.

Paris,
McFarland,
Low.

Which resulted in yeas, 138; nays, 74.

Hon. T. L. Guerard, of the First District, introduced the following resolution, which was adopted:

Resolved, That the Secretary, when appointed, shall appoint his clerical assistants, and the whole expense of the clerical labor of the Convention shall not exceed thirty dollars per day, and that for the faithful performance of his duties the Secretary shall give bond and security in manner, and for such sum, as the President shall approve.

The President announced that the election of a Secretary was in order.

Hon. Augustus Reese, of the Twenty-eighth District, nominated J. C. Nisbet, of the county of Dade.

Hon. R. D. Winn, of the Thirty-fourth District, nominated H. H. Cabaniss, of the county of Monroe.

The roll was called, and the members voted *viva voce*.

The President announced that Mr. Nisbett was elected, having received 111 votes, and Mr. Cabaniss having received 75 votes.

The President announced that the election of a Door-keeper was next in order.

Mr. A. L. Johnson, having received a majority of all the votes cast was declared elected Doorkeeper.

The election of a Messenger was next in order, and Mr. James R. Smith, having received a majority of all the votes cast, was declared elected Messenger.

Hon. J. T. Spence, of the Thirty-fifth District, offered the following resolution :

Resolved, That the President of this Convention be empowered to appoint two Assistant Doorkeepers.

Hon. Nelson Tift, of the Tenth District, offered the following substitute :

Resolved, That the pay of the Secretary shall be twice the pay of a member. He may appoint two assistants, whose pay shall be the same as the pay of members. The Doorkeeper may appoint two assistants for the side doors, and the pay of Doorkeeper and assistants shall be the same as members. The pay of Messenger shall be the same as of a member.

Hon. D. B. Harrell, of the Twelfth District, moved to lay the resolution and substitute on the table, which motion prevailed.

Hon. D. B. Harrell, of the Twelfth District, offered the following resolution :

Resolved, That a committee of five be appointed by the President to report rules for the government of this Convention, which resolution was adopted, and the President appointed, as said committee, Messrs. Harrell, Simmons, Wellborn, Lawton, and Trammell.

Hon. W. O. Tuggle, of the Thirty-seventh District, offered the following resolution :

Resolved, That, in order to expedite the business of this Convention, the President be authorized to appoint stand-

ing committees, composed of not less than thirteen nor more than twenty-one members each, on the following subjects, and said committees shall consider the respective sections of the Constitution assigned to them, and report such amendments as may be deemed proper :

1. Preamble, Bill of Rights, Franchise and Elections.
2. Legislative Department.
3. Executive Department.
4. Judiciary Department.
5. Education.
6. Homestead and Exemptions.
7. Finance, Taxation and Corporations.
8. Miscellaneous Provisions and Mode of Amending the Constitution.
9. The Orderly and Harmonious Arrangement of the whole Constitution.

Hon. J. D. Matthews, of the Thirtieth District, offered the following resolution as a substitute :

Resolved, That, in order to conveniently and efficiently transact the business of this Convention, the President be authorized to appoint thirteen standing committees of nine members each, each Congressional district to have one representative on each of said committees to consider the existing Constitution of this State, and to report upon the same with such recommendations for revision and amendment as may be deemed necessary and proper, to-wit :

1. A Committee on the Bill of Rights.
2. A Committee on the Legislative Department.
3. A Committee on the Executive Department.
4. A Committee on the Judicial Department.
5. A Committee on Elective Franchise.
6. A Committee on Education.
7. A Committee on Public Institutions.
8. A Committee on Finance, Taxation, and Public Debt.

9. A Committee on Militia.
10. A Committee on Counties and County Officers.
11. A Committee on Homestead and Exemptions.
12. A Ccmmittee on Laws of General Operation in force in this State.
13. A Committee on Amendments to the Constitution aud Miscellaneous Provisions.

Resolved, That a Committtee on the Order, Consistency and Harmony of the Constitution be appointed by the President, to consist of two members selected from each of the said thirteen standing committees, to which Final Committee of Revision the said thirteen committee shall make their reports.

Upon motion of Hon. C. J. Wellborn, of the Fortieth District, the resolution and substitute were laid on the table for the present.

Hon. C. J. Wellborn, of the Fortieth District, introduced the following resolution :

Resolved, That the members of the Convention retire to the lobby, and that the Secretary place the numbers of the districts in a hat, and, as the members are drawn out, the delegation from the district drawn shall come in and select seats contiguous.

Hon. George F. Pierce, of the Twentieth District, moved to adjourn until 5 o'clock in the afternoon, which motion prevailed, and the Convention adjourned until that hour.

AFTERNOON SESSION.

5 O'CLOCK.

The Convention was called to order pursuant to adjournment. President Jenkins in the chair.

The resolution in relation to the drawing of seats being

the unfinished business of the morning session, Hon. J. C. Wellborn, of the Fortieth District, offered the following proviso, to-wit:

Provided, That members whose hearing is impaired may select front seats.

Hon. J. L. Seward, of the Seventh District, moved to strike out the proviso, which motion prevailed, and the resolution was adopted.

The members retired, and as their districts were called, appeared and selected their seats.

Hon. L. N. Trammell, of the Forty-third District, moved to take from the table the resolution and substitute relative to the appointment of the standing committees of the Convention, which motion prevailed.

Hon. D. B. Harrell, of the Tenth District, offered the following amendment to the substitute, which was agreed to:

“And that all resolutions, or Ordinances, introduced into the Convention upon those subjects be referred to its appropriate committee without debate.”

The question recurs upon receiving the substitute, as amended, in lieu of the original resolution.

Hon. N. J. Hammond, of the Thirty-fifth District, moved to postpone, and make the special order for to-morrow morning at 10 o'clock, which motion did not prevail.

Hon. Nelson Tift, of the Tenth District, offered the following substitute:

Resolved, That a committee of — be appointed by the President on each of the twelve articles comprising the present Constitution, viz:

1. Declaration of Fundamental Principles.
2. Franchise and Elections.
3. Legislation.
4. Executive.
5. Judiciary.

6. Education.
7. Homestead.
8. Militia.
9. County Officers.
10. Seat of Government.
11. Laws of General Operation in force in this State.
12. Amendments to the Constitution.

Resolved, That a committee of — be appointed by the President to report proper restrictions upon Legislative power relative to general laws and special acts; the proper limitation of State, county and municipal credits and taxation, and the limitation of salaries and fees of public officers, and of public expenses.

Resolved, That the several committees appointed by the Convention shall form a general committee and elect their own chairman and officers, to whom the reports of the several committees shall first be referred, with a view of presenting to the Convention a complete and harmonious Constitution; but the several committees shall have authority to report severally, by way of amendment to the general report, if they shall not agree with the report of the general committee.

Resolved, That all propositions to amend the Constitution shall be referred to the committee without debate, and the report of the committee, when made, shall be open to amendment.

Hon. J. D. Matthews, of the Thirtieth District, moved to lay the substitute on the table, which was agreed to.

Whereupon the question recurred upon the adoption of the substitute of Mr. Matthews, as amended, which was agreed to.

Upon motion of Hon. J. L. Seward, of the Tenth District, the Convention adjourned till to-morrow morning at 9 o'clock.

ATLANTA, GEORGIA,
THURSDAY, July 12th, 1877.

The Convention met this morning at 9 o'clock, pursuant to adjournment.

Prayer by the Rev. J. P. Duncan.

Leave of absence was granted to Mr. J. C. McCrimmon, of the Fourteenth District; Mr. J. G. Denton, of the Thirty-sixth District, and Mr. B. W. Sanford, of the Twenty-third District.

Mr. Gartrell offered the following resolution, to-wit:

Resolved, That the Rev. John P. Duncan be appointed Chaplain, to open the sessions of this Convention with prayer.

Mr. Bass offered the following resolution, to-wit:

Resolved, That, recognizing our dependence upon God, and humbly invoking his guidance and direction in our deliberations, the Convention will, forthwith, elect a Chaplain, whose duty it shall be to open our morning sessions with prayer, and that his compensation shall be the same as the per diem pay of delegates of the Convention.

Mr. Harrell moved to amend by inserting "provided compensation therefor shall be borne by private contribution by the members."

Mr. Howell offered the following as a substitute for the original resolution and substitute:

Resolved, That the President of this Convention do appoint a committee of three, whose duty it shall be to provide for the opening the daily sessions of the Convention with prayer.

Mr. Key offered the following, addition to the resolution, to-wit:

And that his compensation be the same as that paid to the Chaplain of the late House of Representatives.

Mr. Hill moved to lay these resolutions and amendments on the table, which motion prevailed.

Mr. Hamilton introduced the following resolution, to-wit: .

Resolved, That the State Printer be authorized to do the necessary printing for the Convention on the same terms on which he does the regular State printing.

Upon motion of Mr. Seward, the resolution was postponed for action until next Wednesday.

Mr. Hamilton introduced the following resolution, to-wit:

Resolved, That the messenger be authorized to appoint three pages, whose compensation shall not exceed, each, one dollar and a half per day.

Mr. Cooper offered the following as a substitute, which was received and adopted, to-wit:

Resolved, That the doorkeeper be authorized to employ two servants: *Provided* that one dollar per day, each, shall cover the expense thereof.

2. That the messenger appoint two pages, at one dollar per day, each.

Mr. Hunt introduced the following resolution, to-wit:

Resolved, That the Convention proceed at once to elect a President *pro tem.*, which was agreed to.

The election of a President *pro tem.* being declared in order, Mr. Davis, of the Tenth District, nominated Hon. A. R. Lawton, and moved his election by acclamation, which motion prevailed.

Mr. Wellborn moved to take up the report of the Committee on Rules, which was agreed to, and the report was read.

Mr. Wellborn moved the adoption of the report.

Mr. Reese, of the Twenty-eighth, moved that the words "Vice President" be inserted instead of "President *pro tem*."

Mr. Brown moved that the report of the committee be laid upon the table for the present, which motion did not prevail.

Mr. Mobley moved to strike out "Sergeant-at-Arms," and insert "Messenger," wherever it occurs.

Mr. Harrell moved to amend by adding before the word "Sergeant-at-Arms" the words "Messenger, who shall be"—which motion prevailed.

Mr. Chambers offered the following, which was agreed to, to-wit.

Resolved, That Rule 24 be amended by inserting the words "Vice President" instead of the words "Temporary Chairman ;" and in the absence of the President and Vice President, the Convention shall be authorized to elect a temporary chairman.

Mr. Barrow moved to amend the Ninth Rule by striking out the words "until the question be first disposed of," and insert the words "until some further action shall have been taken." Adopted.

The report of the Committee on Rules was then adopted, with the above amendments.

Upon motion of Mr. Wellborn, 300 copies of the Rules were ordered printed for the use of the Convention.

Mr. Collier introduced an Ordinance for the reduction of members of the General Assembly and other purposes, which was read, and upon motion of Mr. DuBose, was laid on the table until the Committee on the Legislative De-

partment shall have been appointed; and that then said resolution be referred to said Committee.

Mr. Pierce offered a resolution requesting the President to make arrangements for opening the morning sessions with prayer.

Mr. Tuggle offered the following substitute for the resolution of Mr. Pierce, which was received in lieu of it, to-wit :

Resolved, That, whereas, there are several ministers of the Gospel who are members of this Convention, they be requested to open the Convention each morning with prayer.

Mr. Chambers offered the following substitute, to-wit :

Resolved, That the President be authorized to appoint a Chaplain from among the ministers who are members of this Convention, who shall receive no additional compensation to that of his per diem as a member.

Upon motion of Mr. Hill, the substitute was laid upon the table.

The question then recurred upon the adoption of Mr. Tuggle's resolution, which was agreed to.

Mr. Reese, of the Twenty-ninth, introduced the following resolution, to-wit :

Resolved by the Convention, That a committee of three be appointed by the President thereof to announce to his Excellency, the Governor of the State, that the Constitutional Convention, called in pursuance of law, is duly organized and in session, and will respectfully receive from him any communications that he may deem it necessary to make to it, connected with the objects of the Convention.

Upon motion of Mr. Seward, the resolution was laid on the table.

Upon motion of Mr. Davis, the Messenger was directed

to furnish seats and desks on the floor of the hall for editors and reporters of the public press.

Mr. Edge introduced a resolution authorizing the President to appoint two side-doorkeepers, which, on motion of Mr. Harrell, was laid on the table.

Mr. McIntosh offered a resolution that the per diem of members shall not exceed four dollars per day.

Mr. Gignilliatt introduced a resolution providing for a committee of one from each Congressional District, whose duty it shall be to report the amount of per diem and mileage to be allowed members of the Convention.

Mr. Williams introduced a resolution providing that the pay of members shall not exceed three dollars per day.

Mr. Tift offered, as a substitute for the whole, a resolution, that the entire expenses of the Convention shall not exceed \$25,000, the amount appropriated by the Legislature for that purpose, and that a committee of nine be appointed to regulate the per diem of members and officers of the Convention so as not to exceed the sum appropriated.

The original resolution of Mr. McIntosh was withdrawn, and Mr. Williams' substitute accepted in lieu thereof.

Mr. Guerard moved to amend the substitute of Mr. Tift by adding, that the committee thus appointed be the Finance Committee of the Convention.

Upon motion of Mr. Ingram, the whole matter was laid on the table until next Monday.

The Convention fixed the hour of meeting and adjournment at 8½ o'clock A.M., and 1 o'clock P.M.

Mr. Mobley moved that the afternoon session shall be from 4 to 6 o'clock.

The motion was lost.

Mr. Cooper introduced a resolution to remove the baize doors at the several entrances to the hall, and if necessary

to prevent improper ingress and egress, to put up lattice doors, which was adopted.

Mr. Bass introduced an ordinance in relation to the Legislative Department, which was read and referred to the appropriate committee.

Mr. Hammond, of the Twenty-second, introduced a resolution providing that all ordinances, having reference to the Constitution, be referred to appropriate committees without reading, which was, upon motion of Mr. Ingram, laid upon the table.

Mr. Key introduced an ordinance on the declaration of fundamental principles, which was read and referred to the proper committee.

Upon motion of Mr. Ross, the Hon. A. O. Bacon, Speaker of the House of Representatives, was invited to a seat in the hall during his stay in the city.

Mr. Trammell introduced the following resolution, to-wit:

Resolved, That all ordinances and resolutions read and referred to appropriate committees, under the rule of the Convention, shall not constitute any part of the Journal of the proceedings of the Convention.

Mr. Tuggle offered the following amendment: "Except the title of the ordinance or resolution, and the name of the member by whom introduced," which amendment was accepted, and the resolution agreed to.

Mr. Guerard offered a resolution that the various ordinances proposed as amendments to the Constitution, or as a part thereof, be printed for the use of the members, which was read and referred to the Committee on Public Printing.

Mr. Nisbet offered an ordinance providing for the election of State Treasurer, Comptroller General, Surveyor General, and Secretary of State, by the people, at the same time, and under the same provisions of law which now, or may hereafter, regulate the election for Governor of this State.

Upon motion of Mr. Scott, visiting members of Congress were invited to seats in the hall of the Convention.

Upon motion of Mr. Seward, the Convention adjourned until to-morrow morning at 9 o'clock.

ATLANTA, GEORGIA,
FRIDAY, July 13th, 1877.

The Convention was called to order this morning at 9 o'clock, by Mr. Jenkins, the President.

Prayer by the Rev. Mr. Tharpe, of the Twenty-third District.

Mr. Wright moved to reconsider so much of the Journal of yesterday, as pertains to the appointment of a Chaplain.

Mr. Davis moved that the motion to reconsider be laid on the table.

Mr. Pierce called for the yeas and nays. The call was sustained, and a vote taken with the following result:

Those voting in the affirmative were Messrs.—

Anderson,
Awbry,
Barrett,

Knight,
Lawton,
Low,

Barrow,
Brannen,
Braddy,
Bristow,
Buchanan,
Burnett,
Casey,
Camp,
Carter,
Clifton,
Clark,
Coats,
Cooper,
Crane,
Creech,
Davis of the 10th,
Davis of the 23d,
Day,
Dickey,
Edge,
Ellington,
Flewellen,
Fontaine,
Furman,
Furlow,
Guerry,
Garren,
Gay,
Gorman,
Gibbs,
Goff,
Greer of the 13th,
Greer of the 21st,
Hamilton of the 21st,
Harrell,
Hansell,

Logino,
May,
McDonald,
McCallum,
McFarland,
McCloud,
McRea,
Mercier,
Mosely,
Nisbet,
Osborne,
Paris,
Perry,
Phillips of the 36th,
Porter,
Ponder,
Reese of the 28th,
Reese of the 29th,
Render,
Respass,
Ross,
Roe,
Russell of the 1st,
Sale,
Sapp,
Sanders,
Simmons,
Sibley,
Scott,
Stokes,
Spence,
Stroud,
Shepherd,
Swanson,
Swearingen,
Screven,

Hammond of the 35th,	Smith,
Harris,	Stevens of the 6th,
Hall,	Toombs,
Hand,	Tift,
Hardy,	Tye,
Head,	Thompson,
Heard,	Tuggle,
Hewell,	Tumlin,
Henry,	Tharp,
Heath,	Underwood of the 32d,
Hill,	Warren of the 1st,
Holcombe,	Warren of the 23d,
Hudson of the 29th,	Wells,
Ingram,	Whiddon,
Jackson,	Wimberly,
Jones,	Williams,
Johnson of the 18th,	Wilson,
Johnson of the 19th,	Willis,
Johnson of the 42d,	Winn, R. D.
Keller,	Wofford.

Those voting in the negative were Messrs.—

Bachlott,	Lawson,
Bass,	Lofton,
Brown,	Little,
Boyd,	Lewis,
Bush,	Matthews,
Cain,	Mattox,
Collier,	McIntosh,
Chambers,	Mershon,
Coney,	Mobley,
Dell,	Moore,
Dismuke,	Mynatt,
Donaldson,	Newell,
DuBose,	Pace,
Fain,	Pierce,

Featherston,
 Fields,
 Fitten,
 Gartrell,
 Glover,
 Gignilliatt,
 Graham,
 Grace,
 Hamilton of the 42d,
 Hawkins,
 Hicks,
 Howell,
 Hollifield,
 Horne,
 Hunt,
 Hudson of the 25th,
 Jenkins of the 21st,
 Johnson of the 30th,
 Key,

Phillips of the 18th,
 Polk,
 Rosser,
 Rogers,
 Roberts,
 Robertson,
 Russell of the 8th,
 Seward,
 Spence of the 35th,
 Stevens of the 40th,
 Trammell,
 Twitty,
 Wallace,
 Warthen,
 Wellborn,
 Westmoreland,
 Wright,
 Winn, L. J.

Yeas 118.

Nays 64.

Leave of absence was granted to Messrs. Hammond, of the 22d, McDonald, of the 5th, and Guerard, of the 1st Districts.

The President announced the following committees :

Committee on the Executive Department—Messrs. L. J. Gartrell, W. R. Gignilliatt, T. L. Guerry, R. W. Anderson, Porter, Ingram, James M. Pace, W. T. Wofford, J. D. Matthews, C. J. Wellborn.

• Committee on Judiciary—Messrs. A. R. Lawton, John A. Davis, W. S. Wallace, L. H. Featherston, N. J. Hammond, T. G. Lawson, W. K. Moore, Wm. M. Reese, Augustus Reese.

Committee on Elective Franchise — Messrs. A. R. Wright, Neil McLeod, J. B. Twitty, J. R. Respass, W. I. Hudson, F. D. Dismuke, J. C. Key, P. C. Hudson, R. D. Winn.

Committee on Legislative Department—Messrs. Robert Toombs, H. H. Perry, J. D. Knight, T. M. Furlow, Hugh Buchanan, John Collier, Wm. A. Lofton, L. N. Trammell, Joshua Hill.

Committee on Bill of Rights—Messrs. Jas. L. Seward, John Screven, Jas. L. Wimberly, W. A. Little, Eli Warren, F. C. Furman, Jas. R. Brown, H. R. Casey, S. G. Howell.

Committee on Militia—Messrs. R. B. Nisbet, A. G. Smith, B. F. Burnett, J. C. Ellington, J. A. Hunt, Thos. G. McFarland, W. H. Mattox, Oliver Clark, R. D. Render.

Upon motion of Mr. Davis, it was agreed that as the committees are appointed and announced, three hundred copies of each to be printed for the use of the Convention.

Mr. Ingram offered a resolution in reference to the location of the Capital.

Mr. Seward moved to amend by inserting Thomasville. The resolution of Mr. Ingram was read, and referred to the Committee on Amendments to the Constitution, and Miscellaneous Provisions.

Mr. Tuggle introduced an ordinance proposing to tax corporations like individuals except charitable, religious, and educational institutions; to prohibit the authorities of the State, counties, cities and towns, from levying a greater rate of taxation than one-half of one per cent. per annum, except to pay existing indebtedness, and to prohibit the creation of any new debt against the State, except to repel invasion, or suppress insurrection.

Read and referred to Committee on Finance and Taxation.

Mr. Edge offered the following resolution, to wit :

Resolved, That the Door-Keeper be authorized by the Convention to appoint a Door-Keeper for the gallery, whose pay shall be the same as that of the principal Door-Keeper.

The resolution was lost.

Mr. Respass introduced an ordinance declaring the right of the people to worship as they see proper, and prohibiting any money from being drawn from the public treasury for the benefit of any religious, or theological institution, or for any religious services in either branch of the General Assembly.

Read and referred to the Committee on the Bill of Rights.

Mr. Dickey offered the following resolution, which was agreed to :

Resolved, That resolutions of invitation to seats upon the floor shall not constitute any part of the Journal of the proceedings of this Convention.

Mr. Mynatt offered an ordinance on local legislation, and to prevent the loan of the credit of the State, which was read, and referred to the Committee on the Legislative Department.

Mr. Gibbs introduced a resolution in relation to the drawing of jurors.

Read and referred to the Judiciary Committee.

Mr. Russell, of the First District, introduced an ordinance providing for the election of Judges of the Superior Court by the qualified voters of the several circuits; election to take place in 1880.

Read and referred to the Judiciary Committee.

Mr. Dismuke introduced an ordinance prohibiting rail-

roads from charging discriminating rates, but shall be uniform per mile.

Read and referred to the Committee on the Judiciary.

Mr. Casey introduced a preamble to the Constitution, which was read and referred to the Committee on the Bill of Rights.

Mr. Warren, of the Twenty-third, introduced an ordinance on the Legislative, Judicial and Executive Departments, which was read and referred to the Committee on the Legislative Department.

Mr. Little offered a resolution prohibiting the State from becoming a joint owner or stockholder in any company in the State, and to prevent the State from loaning its credit, in any manner, to any individual or association whatever.

Read and referred to the Committee on Finance and Taxation.

Mr. Casey introduced an ordinance in relation to the poll tax.

Read and referred to the Committee on Finance and Taxation.

Mr. Mosely introduced a resolution to abolish the Agricultural Department, Board of Health, and Geological Bureau in this State.

Read and referred to the Committee on Miscellaneous Matters.

Mr. Furlow presented a memorial from the Sumter County Agricultural Society, which was referred to the Committee on Finance and Taxation.

Mr. Tift introduced the following resolution, to-wit:

Resolved, That the several committees on the fundamental law shall report those parts of the present Consti-

tution which, in their opinion, require no amendment, by the numbers of the articles and sections, without repeating the language ; and they shall report all amendments by the number of each article and section amended, and shall recite the language used in the present Constitution, followed by the language of the proposed amendment.

Upon motion of Mr. Toombs, the resolution was laid on the table.

Upon motion of Mr. Respass, the Convention adjourned until to morrow morning, at 9 o'clock.

ATLANTA, GEORGIA,
SATURDAY, July 14, 1877.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Prayer by the Rev. Mr. Cooper, of the Thirteenth District.

The oath, prescribed in the rules, was administered to J. C. Nesbit, Secretary, M. H. Hardin and C. H. Williams, assistants.

Mr. Fontaine offered a resolution, to-wit :

Resolved, That the Convention shall not hereafter entertain any matter not directly connected with the fundamental law.

Mr. Howell moved to amend by adding the words "unless otherwise ordered."

Mr. Trammell moved to lay the resolution on the table, which motion prevailed.

Mr. Polk introduced a resolution, that the Committee on

the Judicial Department be requested to inquire into the expediency of providing for jury trials in Justice's Courts, whenever either party may desire it.

Referred to Committee on the Judiciary.

Mr. Osborne offered a resolution, inquiring into the expediency of providing for an Inferior Court for each county.

Read, and referred to Committee on the Judiciary.

Mr. Fontaine offered a resolution, to ascertain and fix the per centage allowed to Tax Collectors and Receivers in this State.

Read, and referred to Committee on Finance and Taxation.

Mr. Underwood introduced a resolution, to abolish the office of State School Commissioner.

Read, and referred to Committee on Education.

Mr. Casey offered a resolution, declaring the character and amount of homestead, to whom allowed, and declaring it inalienable.

Read, and referred to Committee on Homestead and Exemptions.

Mr. Boyd introduced an ordinance to abolish the homestead laws of 1868.

Read and referred to Committee on Homestead and Exemptions.

Mr. Boyd introduced an ordinance, on the right of appeal in the Superior Courts.

Read, and referred to Committee on the Judiciary.

Mr. Ingram offered a resolution in reference to the homestead law.

Read and referred to Committee on Homestead and Exemptions.

Mr. Little offered a resolution to let the Public Printing for the State to the lowest responsible bidders.

Read and referred to the Committee on Amendments to the Constitution, and Miscellaneous Subjects.

Mr. Mobley introduced an ordinance to reduce the members of the General Assembly to 100 members ; make its sittings biennial, and to fix their pay at \$4.00 per day ; limit the session to thirty-five days ; fixing pay of Secretary at \$2,000, and of Clerk of the House at \$3,000, and for other purposes.

Read and referred to the Committee on the Legislative Department.

An invitation was received and accepted, from Dr. Thos. P. Janes, Commissioner of Agriculture, inviting the Convention to the Atlanta Pomological Society meeting.

Mr. Harrell, chairman of the Committee on Rules, reported the following as an additional rule, to-wit :

Rule 27. A Committee on Printing, and Auditing Committee, consisting of five each, shall be appointed by the President.

The rule was adopted.

Mr. Winn offered a resolution providing against imprisonment for debt, which was read and referred to the Committee on the Judiciary.

Mr. Chambers introduced an ordinance on Elections and Franchises.

Read and referred to Committee on Elective Franchise.

Mr. Day introduced an ordinance in relation to Homestead and Exemptions.

Read and referred to Committee on Homestead and Exemptions.

Mr. Mynatt introduced an ordinance on the organization, jurisdiction, etc., of the Supreme Court.

Read and referred to the Judiciary Committee.

Mr. Mynatt offered an ordinance for the creation of additional courts for certain counties, other than the Superior Courts.

Read and referred to the Committee on the Judiciary.

Mr. Edge offered an ordinance to amend the homestead set apart by the homestead of 1867-8.

Read and referred to the Committee on Homestead and Exemptions.

Mr. Donaldson introduced an ordinance in relation to the judicial powers of the State.

Read and referred to the Committee on the Judiciary.

Mr. Furlow introduced the following resolution :

Resolved, That the Secretary of this Convention shall be required, after reading the Journals, and the disposition of unfinished business, to call the roll of Senatorial Districts, at which time any member of said districts shall be permitted to introduce ordinances or resolutions pertaining to the business of the Convention.

Mr. Trammell moved to amend by adding, "until otherwise ordered."

The resolution as amended was agreed to.

Mr. Johnson introduced an ordinance to provide for the publication of expenditures of public money.

Read and referred to Committee on Finance and Taxation.

Mr. Tumlin introduced a resolution allowing parties to waive their homestead in certain cases.

Read and referred to Committee on Homestead and Exemptions.

Mr. Creech introduced an ordinance to reduce the number of jurors.

Read and referred to the Judiciary Committee.

Mr. Wallace introduced a resolution prohibiting the State from pledging its aid, etc.

Read and referred to the Committee on Finance and Taxation.

Mr. Wallace introduced an ordinance in relation to the reduction of the members of the General Assembly.

Read and referred to the Committee on the Legislative Department.

Mr. Mobley introduced an ordinance to change the Constitution, and reduce the salary of the Governor, and other officers of the Executive Department, and to reduce the number of secretaries, and fix their salaries, and regulate the pardoning power of the Governor, and for other purposes.

Read and referred to the Committee on the Executive Department.

Mr. Wellborn introduced an ordinance inquiring into the expediency of a re-adjustment of the Judicial Circuits of the State, with reference to diminishing the number of the same.

Read and referred to the Committee on the Judiciary.

Mr. Harrell introduced an ordinance to fix the terms and salaries of the Judges of the Superior Courts of the State of Georgia.

Read and referred to the Committee on the Judiciary.

Mr. Gartrell introduced an ordinance to prevent discriminating rates of travel and freight by railroad.

Read and referred to the Committee on Legislation.

Mr. Williams presented a memorial from the citizens of Terrell county, which, without being read, was referred to the Committee on Legislation.

Mr. Mathews introduced an ordinance in relation to creating a sinking fund, and to prohibit the State lending its credit, and for other purposes.

Read referred to Committee on Finance and Taxation.

Mr. Barrow introduced an ordinance providing five Supreme Court Judges, to be appointed by the Governor, and hold their office for life on good behavior.

Read and referred to the Committee on the Judiciary.

Mr. Wallace introduced a resolution providing for the election of Judges and Solicitors by the Legislature.

Read and referred to the Committee on the Judiciary.

Mr. Osborne introduced an ordinance abolishing the Homestead.

Read and referred to the Committee on Homestead and Exemptions.

Mr. Key introduced an ordinance on the Homestead law. Read and referred to the Committee on Homestead and Exemptions.

Mr. Tharpe introduced an ordinance that taxation in Georgia shall be *ad valorem* and specific; but whether *ad valorem* or specific, shall be specific.

Read and referred to the Committee on Finance and Taxation.

Mr. Wallace introduced a resolution fixing the time of meeting of the Legislature, and the salary of the members.

Read and referred to the Committee on the Legislative Department.

Mr. Wells introduced an ordinance declaring dogs to be taxable property, and taxed not less than five nor more than ten dollars per head.

Read and referred to Committee on Finance and Taxation.

Mr. Bass introduced an ordinance that the Circuit Judges be appointed by the Supreme Court Justices, with the approval of the Senate.

Read and referred to the Committee on the Judiciary.

Mr. McFarland introduced an ordinance reducing the number of grand jurors to thirteen, and the traverse jurors to seven.

Read and referred to the Committee on the Judiciary.

Mr. Grace introduced an ordinance reducing the number of representatives in the Legislature, and shall convene every four years.

Read and referred to the Committee on the Legislative Department.

Mr. Wallace introduced an ordinance in reference to the clerical force of the General Assembly.

Read and referred to the Legislative Department.

Mr. Underwood, of the Thirty-second District, introduced an ordinance to abolish the Supreme Court.

Read and referred to the Committee on the Judiciary.

Mr. Twitty introduced an ordinance providing that the present Homestead shall not be disturbed.

Read and referred to the Committee on the Homestead.

Mr. Harrell introduced an ordinance on the Legislative Department.

Read and referred to Committee on Legislative Department.

Mr. Paris introduced a resolution making it the duty of the Attorney General to defend and prosecute for the State, and allowing no money to be paid to other parties for such service.

Read and referred to the Judiciary Committee.

Mr. Wright presented a memorial from the citizens of Cave Spring.

Referred to Committee on the Legislative Department.

Mr. Lewis presented a memorial from the citizens of Greene county.

Referred to Committee on the Legislative Department.

Mr. Gartrell presented a memorial from the citizens of Quitman county, which was referred to the Committee on the Legislative Department.

Mr. Cooper presented a memorial from the citizens of Sumter county, which was referred to the Committee on the Legislative Department.

The President appointed the following standing committees, to-wit :

Committee on Amendments of Constitution and Miscellaneous Provisions—W. T. Thompson, David Goff, O. P. Swearingen, Jno. P. Glover, A. C. McIntosh, J. C. Coney, J. C. Fain, Geo. F. Bristow, D. A. Camp.

Committee on Counties and County Officers—James M. Mobley, Waring Russell, B. L. Stephens, M. N. McRae, J. T. Spence, T. A. Gibbs, Samuel Hawkins, W. G. Johnson, Andrew Jackson.

Committee on Homestead and Exemptions—P. L. Mynatt, Jno. M. Guerard, S. L. Williams, William Wells, Jno. T. Longino, E. C. Grier, N. J. Tumlin, G. F. Pierce Pope Barrow.

Committee on Laws of General Operation in this State—Abda Johnson, J. C. Dell, J. E. Donaldson, T. M. Awbrey, T. F. Newell, L. J. Winn, R. L. Warthen, J. W. Stokes, W. T. Day.

Committee on Finance, Taxation and Public Debt—T. J. Simmons, J. L. Warren, Nelson Tift, D. B. Harrell, J. T. Willis, A. D. Hammond, J. W. Robertson, Miles W. Lewis, Weir Boyd.

Committee on Public Institutions—S. W. Harris, Stephen F. Keller, J. B. Creech, David Sapp, L. M. Tye, E. E. Rosser, D. B. Hamilton, Adam Johnson, A. F. Underwood.

Upon motion of Mr. Ellington, the Convention adjourned until Monday morning at 9 o'clock.

ATLANTA, GA.,
MONDAY, July 16, 1877.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Prayer by Rev. Mr. Coats, of the Twenty-first District.

Leave of absence was granted on account of indisposition to Messrs. Bryan, Hewell and S. W. Harris.

Mr. Guerard introduced a resolution that no person, where there is not a strong presumption of fraud, shall be continued in prison after the delivery of his estate, except that part exempt by law.

Read and referred to the Committee on the Bill of Rights.

Mr. Guerard introduced a resolution providing that the General Assembly shall prescribe the duties and compensation of the officers and members of each House.

Read and referred to the Committee on the Legislative Department.

Mr. Gignilliatt introduced an ordinance to establish the seat of government by a vote of the people.

Read and referred to a special committee of nine on that subject.

Mr. Grace introduced a resolution that the homestead law be submitted to the people separate from the ratification of the Constitution.

Read and referred to Committee on Homestead and Exemptions.

Mr. Grace introduced an ordinance that all persons convicted of an offense, involving moral turpitude, shall be disfranchised.

Mr. Bachlott introduced an ordinance providing that each head of a family, guardian, trustee of minor children, shall be entitled to a homestead.

Read and referred to Committee on Homestead and Exemptions.

Mr. Mershon introduced an ordinance in relation to judicial circuits.

Read and referred to Committee on Judiciary.

Mr. Donaldson introduced an ordinance prohibiting the making of new counties, reducing the number of representatives, and increasing the senatorial districts.

Read and referred to Committee on Legislative Department.

Mr. Davis introduced an ordinance prohibiting the Legislature from granting private charters, or local acts.

Read and referred to Committee on the Legislative Department.

Mr. Davis introduced an ordinance prohibiting the State from loaning its credit, and prohibiting the Legislature from voting any compensation, except that provided by law, to its members or officers, or any officers of the State.

Read and referred to the Committee on the Legislative Department.

Mr. Tift introduced an ordinance that the State shall never be defendant in any of her courts, and that the writ of *Habeas Corpus* shall never be suspended.

Read and referred to the Committee on Legislative Department.

Mr. Harrell introduced the following resolution, which was adopted:

Resolved, That the President appoint a committee of nine to inquire into the number of sessions of the Superior Courts of this State, and the time required for holding them, and the expediency and practicability of reducing the number of the circuits, and the mode thereof, and that said committee report by ordinance, or otherwise.

Mr. Guerry introduced a resolution that the Finance Committee inquire what portion of the civil debt, excepted by the ordinance of 1865 repudiating the war debt, is outstanding, and what action should be taken thereon.

Read and referred to the Committee on Finance and Taxation.

Mr. McLeod introduced an ordinance giving Ordinaries in certain counties the power of Judges of County Courts.
Read and referred to the Committee on the Judiciary.

Mr. Perry introduced an ordinance that the property of

the wife, at the time of marriage, shall be her separate property, and free from the debts of her husband.

Read and referred to the Committee on Laws of General Operation.

Mr. Cain introduced an ordinance creating a Department of Education, and for other purposes.

Read and referred to Committee on Education.

Mr. Lewis introduced an ordinance to settle the location of the capital.

Read and referred to a special committee of nine.

Mr. Warthen introduced an ordinance providing for the more effectual collection of taxes.

Read and referred to Committee on Counties and County Officers.

Mr. Hamilton, of the Twenty-first District, introduced an ordinance that no money, except the poll tax, be appropriated for public schools.

Read and referred to Committee on Education.

Mr. Barrett introduced an ordinance that the location of the capital be submitted to the qualified voters of the State.

Read and referred to the special committee on that subject.

Mr. Fontaine introduced a resolution providing for private ways, when necessary for public purposes.

Read and referred to Committee on Counties and County Officers.

Mr. Fontaine introduced an ordinance providing a homestead.

Read and referred to Committee on Homesteads and Exemptions.

Mr. Fontaine introduced an ordinance that no railroad shall grant free passes, or sell them at a discount, etc.

Read and referred to the Committee on the Legislative Department.

Mr. Flewellen introduced a resolution changing the name of "Ordinary" to "Judge of Probate."

Read and referred to Committee on the Judiciary.

Mr. Hudson introduced an ordinance fixing representation according to population; per diem and mileage, and for other purposes.

Read and referred to Committee on Legislative Department.

Mr. Willis introduced an ordinance that no court, except a Court of Record, shall have authority to render a judgment for the recovery of money, or other things of value.

Read and referred to the Judiciary Committee.

Mr. Gorman introduced an ordinance reducing the homestead to \$1,000, and making the same inalienable.

Read and referred to Committee on Homesteads.

Mr. Willis introduced an ordinance providing for five Inferior Court Judges in each county.

Read and referred to Committee on the Judiciary.

Mr. Willis introduced an ordinance dividing the State into twelve judicial districts, the judges to be elected by the Legislature.

Read and referred to the Committee on the Judiciary.

Mr. Dismuke introduced an ordinance prohibiting the Legislature from passing any local laws, or when in called session, acting upon anything, other than those subjects specially designated.

Read and referred to Committee on Legislation.

Mr. Rosser introduced an ordinance submitting the homestead question separately to the people, and if adopted, form a part of the Constitution.

Read and referred to Committee on Amendments to the Constitution.

Mr. Rosser introduced an ordinance providing for a homestead.

Read and referred to Committee on Homestead.

Mr. Pace submitted an ordinance in relation to the Governor, declaring no one eligible after a first term.

Read and referred to the Committee on the Executive Department.

Mr. Lawson offered a resolution considering the propriety of creating the office of State Commissioner.

Read and referred to Committee on Legislative Department.

Mr. Reese, of the Twenty-eighth District, introduced an ordinance prohibiting the Legislature from relieving securities upon forfeited recognizances.

Read and referred to Committee on Legislative Department.

Mr. Hill offered an ordinance giving to each tax payer an exemption from taxation to amount of one hundred dollars.

Read and referred to Committee on Finance and Taxation.

Mr. Casey introduced an ordinance regulating the time of the election for members of the General Assembly, and for other purposes.

Read and referred to the Committee on Legislative Department.

Mr. Matthews offered a resolution that the Convention

adhere to the basis of representation as fixed by the existing Constitution, and will deprive no county of representation.

Read and referred to Committee on Legislative Department.

Mr. Johnson, of the Thirtieth District, introduced an ordinance on the homestead giving the benefit of the law to married and unmarried persons.

Read and referred to the Committee on Homestead.

Mr. Johnson, of the Thirtieth District, offered an ordinance making juries judges of the law and the facts in all criminal cases.

Read and referred to the Committee on the Judiciary.

Mr. Johnson, of the Thirtieth District, offered an ordinance regulating the practice in the Supreme Court, where the Judge is disqualified, and for other purposes.

Read, and referred to Committee on the Judiciary.

Mr. Johnson, of the Thirtieth District, introduced an ordinance, prohibiting State aid and internal improvements.

Read and referred to Committee on the Legislative Department.

Mr. Johnson, of the Thirtieth District, introduced an ordinance to cure defects in the Constitutional law.

Read and referred to Committee on the Judiciary.

Mr. Osborne introduced an ordinance, to re-establish the Judges of the Inferior Court, and empower them to try all cases of misdemeanors.

Read and referred to Committee on the Judiciary.

Mr. Mosely introduced a resolution, that all ordinances

be passed by the Convention ; that the Judges of the Supreme Court consist of three members, and that their salary be \$2,500 per annum.

Read and referred to Committee on the Judiciary.

Mr. Mosely introduced an ordinance, in relation to homestead and exemptions.

Read and referred to Committee on Homestead and Exemptions.

Mr. Boyd introduced an ordinance, to pay \$5,670 to the board of trustees of the North-Georgia Agricultural College out of the proceeds of the land scrip.

Read and referred to Committee on Education.

Mr. Shepherd introduced an ordinance, to change the mode of the appointment of Notaries Public.

Read and referred to Committee on the Judiciary.

Mr. L. J. Winn introduced a resolution, providing for the appointment of assessors in each county.

Read and referred to Committee on the Legislative Department.

Mr. R. D. Winn introduced an ordinance, to provide for the selection of juries in this State.

Read and referred to Committee on the Judiciary.

Mr. McIntosh introduced an ordinance, abolishing the present homestead.

Read and referred to Committee on Homestead and Exemptions.

Mr. Crane introduced an ordinance, fixing the homestead at \$1,000, and for other purposes.

Read and referred to Committee on Homestead and Exemptions.

Mr. Crane introduced an ordinance, for the collection of debts, and the jurisdiction of magistrates.

Read and referred to Committee on the Judiciary.

Mr. Hammond, of the Thirty-fifth District, introduced an ordinance declaring no party to a suit eligible as a witness therein, upon his or her own motion.

Read and referred to the Committee on the Judiciary.

Mr. Render introduced a resolution that the right of appeal be allowed from the Superior Courts of this State.

Read and referred to the Committee on the Judiciary.

Mr. Swanson introduced an ordinance in relation to the homestead, making it \$800 on realty and \$400 in personalty.

Read and referred to the Committee on Homestead and Exemptions.

Mr. Tuggle introduced the following resolution :

Resolved, That the President appoint a committee of nine to prepare and report to the Convention, after the Constitution shall be drafted, an address to the people of Georgia, explanatory of the action of the Convention.

The resolution was called up, and lost.

Mr. Clarke offered a resolution that all future legislation shall not exceed four dollars, and five cents mileage, to the members.

Read and referred to the Legislative Committee.

Mr. Field introduced a resolution that the yeas and nays be called on appropriation of money in certain cases.

Read and referred to the Committee on Legislative Department.

Mr. Field introduced an ordinance that the per diem of the members of the Legislature be fixed, also the salary of the clerk and his assistants.

Read and referred to the Committee on the Legislative Department.

Mr. Stephens, of the Fortieth District, offered a resolution abolishing the office of Notary Public, and provides for election of Justice of the Peace.

Read and referred to the Committee on the Judiciary.

Mr. Wellborn introduced a resolution prohibiting the employment of persons convicted of misdemeanors with penitentiary convicts.

Read and referred to the Committee on the Legislative Department.

Mr. Wofford introduced the following resolution, which was agreed to :

WHEREAS, It is probable a clause of prohibition of the further issuance of bonds, or other indebtedness of the State of Georgia, will be incorporated in the Constitution ; and, whereas, it is important that the present debt of the State be paid as rapidly as possible, that the people may be delivered of the enormous and ruinous rate of interest which they are paying. Therefore,

Resolved, 1st, That a committee of one from each Congressional District be appointed by the President to inquire if the property of the State can be made available for the purpose of the payment of the public debt. And

2d. If it can be made so available, to report such an ordinance, or other measure, as they may deem advisable.

3d. That the Treasurer of this State report to this House the precise amount of the public debt, funded and floating.

4th. Also to what extent the State is liable as endorser:

Mr. Wofford introduced an ordinance reciting that no one shall be deprived of his right to vote by reason of his inability to pay his taxes.

Read and referred to Committee on the Elective Franchise.

Mr. Hamilton, of the Forty-second District, introduced a resolution that the sense of the Convention is, that there should be inaugurated a system of the most rigid economy in the public expenditures, and a reduction, as far as practicable, in all of the expenses of the Government.

Upon motion, the resolution was laid upon the table for the present.

Mr. Moore introduced a resolution considering the propriety of dispensing with the impression of the seal of the State upon wax, and making it upon paper.

Read and referred to the Committee on Miscellaneous Matters.

Mr. Trammell introduced an ordinance to provide for the election of Secretary of State, State Treasurer, Comptroller General, and the Judges of the Supreme and Superior Courts, by the legal voters of the State.

Read and referred so the Committee on the Judiciary.

Mr. Tift introduced a resolution that all lands shall be returned for taxation, and the taxes paid in the county where situated.

Read and referred to Committee on Finance and Taxation.

Mr. Tift offered an ordinance in relation to the public printing, and purchases of stationery for the State.

Read and referred to Committee on Public Institutions.

Mr. Wright moved to suspend the rules for the purpose of introducing a resolution.

The question upon the suspension was put and lost.

The special order of the day, being the question of the

per diem of the members of the Convention, the same was taken up for action.

Mr. Dismuke moved the following as a substitute for the resolutions previously read on the subject, to-wit: "That the per diem of members be five dollars per day, and ten cents per mile as mileage."

Upon motion of Mr. Simmons, the substitute, with whole matter, was referred to the Committee on Finance and Taxation, to report at an early day.

Mr. Wright introduced the following resolution:

WHEREAS, disorders and confusion are likely to arise at any time in the galleries, therefore

Resolved, That an assistant Doorkeeper be appointed by the Doorkeeper for the galleries, and that the pay of such assistant shall not exceed one dollar per day.

Upon motion of Mr. Barrow, the resolution was laid upon the table indefinitely.

Mr. Bachlott introduced an ordinance fixing the pay of jurors in each county at one dollar per day.

Read and referred to Committee on Finance and Taxation.

Mr. Jones introduced a resolution in reference to the State University, and the measures to be taken in its behalf, and for other purposes.

Read and referred to the Committee on Education.

Mr. Gorman introduced a resolution upon the subject of taxation, and declaratory thereon.

Read and referred to Committee on Finance and Taxation.

Mr. Featherston introduced a resolution to ascertain the salaries, perquisites, and incomes and fees of officers of the State during the last fiscal year, and the amount of labor to be performed in each department.

Read and referred to Committee on Finance and Taxation.

The President announced the following standing committees :

Committee on Education—Messrs. A. H. Hansell, John Screven, Geo. F. Cooper, W. O. Tuggle, N. J. Hammond, O. S. Porter, Jno. H. Fitten, J. G. Cain, C. J. Wellborn.

Committee on Final Revision—Messrs. Robt. Toombs, L. N. Trammell, J. L. Seward, J. R. Brown, L. J. Gartrell, J. D. Matthews, A. R. Lawton, W. M. Reese, A. R. Wright, J. R. Respass, A. H. Hansell, N. J. Hammond, S. W. Harris, A. F. Underwood, T. J. Simmons, J. W. Robertson, R. B. Nesbit, T. G. McFarland, J. M. Mobley, W. G. Johnson, P. L. Mynatt, J. M. Guerard, Abda Johnson, T. F. Newell, W. T. Thompson, J. C. Fain.

Upon motion of Mr. Russell, of the Eighth District, the Convention adjourned until to-morrow morning at 9 o'clock.

ATLANTA, GA.,
TUESDAY, July 17, 1877.

The Convention assembled at 9 o'clock this morning, President Jenkins in the chair.

Prayer by the Rev. Mr. Hamilton, of the Forty-second District.

Mr. Russell, of the First District, offered an ordinance to abolish the law now in force punishing persons convicted of misdemeanors by service in the chain gang.

Read and referred to the Committee on the Legislative Department.

Mr. Mershon offered an ordinance abolishing County Courts in this State.

Read and referred to the Committee on Judiciary.

Mr. Mershon also introduced an ordinance prescribing the punishment of all grades of larceny.

Read and referred to the Committee on the Legislative Department.

Mr. Mershon also introduced an ordinance prohibiting persons convicted of larceny from voting or holding office.

Read and referred to the Committee on the Judiciary.

Mr. Twitty introduced a resolution to fix the per diem of members of the Convention, and of future Legislatures.

Read and referred to the Committee on Legislative Department.

Mr. Twitty also offered a resolution in regard to the manner of giving in tax on wild lands.

Read and referred to Committee on Finance and Taxation.

Mr. Twitty also introduced an ordinance providing for the reduction of members of the General Assembly.

Read and referred to the Committee on the Legislative Department.

Mr. Wells offered a resolution that the legal interest in this State shall be seven per cent.

Read and referred to Committee on Finance and Taxation.

Mr. Williams offered an ordinance reducing the number of Judicial Circuits to twelve.

Read and referred to the Committee on the Judiciary.

Mr. Greer introduced a resolution to establish a Criminal

Court, to be presided over by the Judges of the Superior Courts, holding two sessions annually in each county.

Read and referred to Committee on the Judiciary.

Mr. Anderson introduced an ordinance fixing the amount of the homestead.

Read and referred to the Committee on Homestead and Exemptions.

Mr. Sapp introduced an ordinance prohibiting imprisonment for debt, whipping, and the sale of spirituous liquors on election days.

Read and referred to Committee on Legislative Department.

Mr. Dell introduced an ordinance providing for the amendment of the Constitution.

Read and referred to the Committee on Amendments to the Constitution.

Mr. Sibley introduced an ordinance to create the office of Lieutenant Governor.

Read and referred to Committee on Executive Department.

Mr. Sibley also introduced an ordinance fixing the homestead.

Read and referred to Committee on Homestead and Exemptions.

Mr. Sibley also introduced an ordinance to reduce the members of the General Assembly, and make the session biennial.

Read and referred to the Committee on the Legislative Department.

Mr. Edge offered a resolution prescribing the duties of Judges of the Superior Courts, and fixing their salaries.

Read and referred to Committee on the Judiciary.

Mr. Coats introduced an ordinance prohibiting the issuing of non-taxable bonds.

Read and referred to the Committee on the Legislative Department.

Mr. Chambers introduced an ordinance providing for the submission of the Constitution to the people for ratification.

Read and referred to the Committee on Amendments to the Constitution.

Mr. Barrett introduced an ordinance providing for the election of Justices of the Peace, and prescribing their jurisdiction.

Read and referred to the Committee on the Judiciary.

Mr. Ross introduced a resolution requiring each county to fix the per diem, and pay the same to their Representatives in the General Assembly.

Read and referred to the Committee on the Legislative Department.

Mr. Ross also introduced an ordinance that no home-stead exemption law shall exist in Georgia.

Mr. Wallace offered the following resolution, which was agreed to, to-wit:

Resolved, That as the reports of the standing committees, or any one of them, shall be completed, three hundred copies of the same be printed for the use of the Convention.

Mr. Stroud introduced a resolution that the per diem of members shall not exceed fifty cents.

Referred to the Committee on Finance and Taxation.

Mr. Stroud also offered a resolution fixing a poll tax,

and prohibiting any person from voting who shall not have paid said tax.

Read and referred to Committee on Finance and Taxation.

Mr. Ingram offered an ordinance fixing the salary of the Governor, and providing for the sale of the Executive mansion.

Read and referred to the Committee on Finance and Taxation.

Mr. Fontaine introduced a resolution prohibiting the State from loaning its credit, or becoming a stockholder.

Read and referred to Committee on Finance and Taxation.

Mr. Westmoreland introduced a resolution exempting from taxation \$200 of personal property of the widows of the State.

Read and referred to the Committee on Homestead and Exemptions.

Mr. Scott, of the Thirtieth, introduced an ordinance providing that each county in the State shall have at least one Representative in the General Assembly.

Read and referred to the Committee on the Legislative Department.

Mr. Scott also introduced an ordinance fixing the per diem and the sessions of the General Assembly.

Mr. Moseley offered the following resolution, which was adopted, to-wit:

WHEREAS, in the opinion of the Convention of the people of Georgia, there have been useless expenditures in the various State House offices, to-wit: the Treasurer, Secretary of State, Wild Land Office, Keeper of the Penitentiary, and others; it is, therefore,

Resolved, That a committee of five be appointed by the President of the Convention to investigate the amount of work to be performed in these various offices, to-wit: Comptroller General, Treasurer, Secretary of State, Wild Land Office, Keeper of the Penitentiary, Executive clerks, Keeper of Public Buildings, Attorney General, and all other offices around the State House; and that this committee, if, on investigation, find that there are too many clerks, or their offices are useless, that all of those assistants and offices be abolished, whenever found necessary; and that said committee shall report to this Convention.

Mr. Osborne offered a resolution subjecting the homestead to judgments in cases of slander and libel.

Read and referred to Committee on Homestead and Exemptions.

Mr. Camp offered a resolution to abolish the office of County School Commissioner.

Read and referred to the Committee on Education.

Mr. Shepherd introduced a resolution in regard to the Bill of Rights.

Read and referred to the Committee on Bill of Rights.

Mr. Shepherd also introduced an ordinance providing for a Department of Agriculture in the Constitution.

Read and referred to the Committee on Amendments to the Constitution.

Mr. Spence, of the Thirty-fifth, introduced a resolution abolishing the office of Attorney General.

Read and referred to the Committee on the Judiciary.

Mr. Spence also introduced a resolution fixing the number of grand and traverse jurors.

Read and referred to Committee on the Judiciary.

Mr. Featherston introduced an ordinance exempting from taxation one hundred and fifty dollars worth of property.

Read and referred to Committee on Finance and Taxation.

Mr. Featherston also offered an ordinance reducing the House of Representatives to sixty, and the Senate to twenty-two members.

Read and referred to the Committee on the Legislative Department.

Mr. Glover introduced a resolution reducing the number of Senators and Representatives in the General Assembly.

Read and referred to the Committee on the Legislative Department.

Mr. Tuggle introduced a resolution forbidding the expenditure of more than eight per cent of the public school fund, except for teaching.

Read and referred to Committee on Education.

Mr. Tuggle also introduced an ordinance declaring charters invalid if no organization has been made at the ratification of this Constitution, forbidding them to engage in any business not authorized in the charter, and forbidding them to increase bonded indebtedness, or issuing preferred stock, except by the consent of the stockholders.

Read and referred to the Committee on Finance and Taxation.

Mr. Awbrey introduced an ordinance giving Justices of the Peace jurisdiction to try all misdemeanors.

Read and referred to the Judiciary Committee.

Mr. Denton introduced a resolution reducing the term of office of the Governor, and providing his salary, and that of his secretaries.

Read and referred to the Committee on the Executive Department.

Mr. Brown introduced a resolution requesting the Committee on Finance to inquire into the propriety of creating a sinking fund to pay off the public debt.

Read and referred to the Committee on Finance and Taxation.

Mr. Stephens introduced an ordinance in reference to the per diem pay and mileage of members of the General Assembly.

Read and referred to the Committee on Legislative Department.

Mr. Wofford introduced an ordinance prohibiting the lease of the convicts, and providing that existing contracts be annulled.

Read and referred to the Committee on Legislative Department.

Mr. Fitten introduced an ordinance for the protection of fish raising in this State by preventing the obstruction of streams.

Read and referred to the Committee on the Legislative Department.

The Committee on Finance and Taxation, through their chairman, Mr. Simmons, made the following report:

Mr. President:

The Committee on Finance and Taxation, to whom was referred the subject of the per diem and mileage of the officers and members of this Convention, beg leave to report that they have had the same under consideration, and that, after mature deliberation, they are of opinion that the Convention has full and entire control over the question of its own expenses, and that it is not bound by, or confined to, any sum fixed by the Legislature in the Act calling a Convention. That, while the Committee hold to the foregoing views in reference to the powers of the Convention,

they hope, and confidently believe, that the labors of this Convention can be completed in such a time as the expenses will not exceed the sum of \$25,000, appropriated by the Legislature.

The committee instruct me to report the following ordinance, which they recommend be adopted by the Convention :

SECTION 1. *Be it ordained by the people of Georgia, in Convention assembled*, That the pay of the President of this Convention shall be seven dollars per day and ten cents per mile in going to, and returning from, the Convention. That the pay of the members shall be four dollars per day, and ten cents per mile in going to, and returning from, the Convention. That the pay and mileage of the Doorkeeper and Messenger shall be the same as the members—the mileage to be computed by the nearest and most practicable route usually traveled.

SEC 2. *Be it further ordained*, That the Treasurer shall be authorized and required to pay said officers and members the per diem and mileage allowed by this ordinance, when accounts are properly made out, and audited by a member of the Auditing Committee. Said Treasurer shall, at the close of the Convention, make out a pay-roll of the Convention, and present the same to the President, whose duty it shall be to approve it, if correct, and when so approved, it shall be the warrant of the Treasurer for the money so paid out.

Mr. Dismuke offered the following as an amendment, to-wit :

Resolved, That the report of the committee be amended by inserting five dollars per day instead of “four dollars.”

The amendment was lost.

Mr. Tift moved to amend by adding that the Secretary shall receive six dollars per day, and the Assistant Secretary shall receive the same pay as members of the Convention.

The amendment was lost.

Mr. Guerard moved to refer the amendment back to the Finance Committee.

The motion was lost.

Mr. Dubose moved to lay the whole matter on the table for the present, which motion was lost.

Mr. Flewellen moved to amend by striking out "ten cents per mile" and inserting five cents per mile, which motion was lost.

Mr. Respass called for the previous question.

The call was sustained, and the report of the Finance Committee adopted.

Mr. Gartrell offered the following resolution, which was agreed to, to-wit :

Resolved, That the Treasurer of the State be authorized to advance to the delegates of the Convention the sum of twenty-five dollars each ; to the Secretary, the sum of one hundred dollars ; and to the Messenger and Doorkeeper, the sum of twenty-five dollars each—said advancement to be accounted for on final settlement.

The Committee on the Judiciary, through their chairman, Mr. Lawton, made the following report :

Mr. President :

The Committee on the Judiciary Department have had under their consideration—

A resolution in relation to the regulations of freights and charges upon railroads.

Also, a resolution in relation to the State University.

Which they return herewith, with the recommendation that the former be referred to the Committee on the Legislative Department, and the latter to the Committee on Education, as the appropriate committees to dispose of them finally.

Respectfully submitted,

A. R. LAWTON, *Chairman*.

Upon motion of Mr. Warren, the Convention adjourned until to-morrow morning at 9 o'clock.

ATLANTA, GEORGIA,
WEDNESDAY, July 18, 1877.

The Convention was called to order this morning pursuant to adjournment, by Mr. Jenkins, the President.

Prayer was offered by the Rev. Mr. Phillips, of the Eighteenth District.

Mr. Dismuke moved to reconsider so much of the Journal of yesterday as relates to the report of the Committee on Finance and Taxation, in regard to the per diem of officers and members of this Convention.

Mr. Flewellen moved to amend by striking out "ten per mile cents going to and returning from the Convention," and inserting in lieu thereof the words: actual, necessary traveling expenses, not to exceed ten cents per mile going to and returning from the Convention by the shortest practicable route; *Provided*, That delegates holding free passes over railroads shall not be paid mileage.

Mr. Hamilton, of the Forty-second, moved to lay the motion to reconsider on the table, which motion prevailed.

Mr. Toombs offered the following resolution, which was agreed to, to-wit:

Resolved, That the Committee of Revision be hereby authorized to employ a clerk.

Upon motion of Mr. Gorman, leave of absence was granted Messrs. Flewellen and Lofton.

The President announced the following committees:

Committee on Reducing the Number of Judicial Circuits—D. B. Harrell, M. L. Mershon, J. B. Twitty, W. I. Hudson, J. A. Hunt, E. C. Greer, N. J. Tumlin, H. N. Hollefield, R. D. Winn.

Committee to Examine into Clerical Force in Sundry Offices—S. H. Moseley, B. E. Crane, N. Bass, R. H. May, S. G. Howell.

Committee on Printing—D. B. Harrell, S. Hall, B. E. Russell, W. T. Thompson, Geo. Roberts.

On Payment of Public Debt—W. T. Wofford, W. B. Jones, John A. Davis, R. W. Anderson, L. H. Featherston, A. W. Holcombe, T. G. Lawson, C. W. DuBose, Weir Boyd.

Committee on the Capital Ordinance— M. W. Lewis, S. Hall, B. L. Stephens, W. S. Wallace, F. Fontaine, John Collier, F. C. Furman, S. Hawkins, Pope Barrow.

Committee on Auditing—W. H. Ross, F. Chambers, G. R. Sibley, E. A. Flewellen, P. W. Edge.

Mr. Simmons, chairman of the Committee on Finance and Taxation, asked that the committee be allowed to retire from the hall, which was granted.

Mr. Robertson moved that the tender of documents, etc., by Mr. Tift, be accepted, which motion was agreed to.

The resolution of Mr. Hamilton, that the State Printer be authorized to do the necessary printing of the Convention on the same terms on which he does the regular State printing, being the special order of the morning, was taken up and read.

Upon motion of Mr. Bass, the resolution was referred to the Committee on Printing.

Mr. Wellborn offered a resolution authorizing Thos. B. Irwin, Esq., of Cobb county, to publish a pamphlet containing the Constitution, ordinances and resolutions adopt-

ed by the Convention, provided such compilation and publication be made at his own expense.

Read and referred to Committee on Printing.

Mr. Harrell presented a memorial of the Board of Trade of the city of Americus, and moved that it be referred, without reading, to the Committee on the Legislative Department, which motion prevailed.

Mr. Grace introduced an ordinance providing that every male person born in the United States, and every person who has been naturalized, twenty-one years old, or upward, who has resided in this State twelve months, and in the county six months next preceding the election, and paid all taxes, shall be entitled to vote.

Mr. Bachlott introduced a resolution providing for the reduction of members of the General Assembly, which was read and referred to the Committee on the Legislative Department.

Mr. Creech offered a resolution to take into consideration the propriety of abolishing the Chemical, Geological, and Agricultural Bureaus.

Read and referred to Committee on Public Institutions.

Mr. Hand offered a resolution declaring the homestead an ordinance separate and distinct from the Constitution, and providing that it be submitted to the people for ratification.

Read and referred to Committee on Homestead and Exemptions.

Mr. Davis offered a resolution providing that the officers of the State Treasury, and all other State officers, shall be liable on their official bonds for any moneys paid by them in violation of the Constitution, and that the public debt

of the State shall never exceed three per cent. of the taxable wealth of the State.

Read and referred to the Committee on Finance and Taxation.

Mr. Wells offered a resolution providing that no exemption of property from taxation shall be allowed, except churches and property held for benevolent purposes.

Read and referred to Committee on Finance and Taxation.

Mr. McRae offered a resolution providing that the salaries of Judges of the Superior Courts shall not exceed eighteen hundred dollars per annum, in gold.

Mr. McLeod offered a resolution providing for the reduction of the salaries of Tax Collectors and Receivers.

Read and referred to the Committee on Finance and Taxation.

Mr. Dell offered a resolution instructing the Legislative Committee to inquire into the expediency of making an amendment to the Constitution in relation to representation in the General Assembly.

Read and referred to Committee on the Legislative Department.

Mr. Johnson, of the Eighteenth, offered a resolution prohibiting the State, or any county, city, or corporation, from contracting any new debt, or loan, unless they provide a sinking fund to meet such indebtedness.

Read and referred to the Committee on Finance and Taxation.

Mr. Sanders offered a resolution prescribing the manner of returning wild or unimproved lands in this State.

Read and referred to the Committee on Finance and Taxation.

Mr. Tharpe offered the following resolution, which was adopted, to-wit :

WHEREAS, the public debt of the State of Georgia is now over eleven millions, with only about one-third of the property owned before the war ; and whereas, the rate of taxation is about eight times as great as before the war ; and whereas, this heavy tax is not more than enough to pay the current expenses of the State, and the annually accruing interest of the public debt, without producing any sinking fund for its reduction ; and whereas, it is deemed impolitic and impracticable to increase the present burdensome rate of taxation ; therefore, be it

Resolved, That a committee of one, from each Congressional District, be appointed to inquire into the propriety of selling the Western and Atlantic, Macon and Brunswick, and North and South railroads, in order to pay the indebtedness, and to reduce taxation, said committee to report at the earliest practicable moment.

Mr. Wallace introduced a resolution prohibiting any Legislature from recognizing any State bond heretofore declared fraudulent, and that no Legislature shall have power to repudiate the validity of any bond of this State now outstanding.

Read and referred to the Committee on Finance and Taxation.

Mr. Flewellen offered an ordinance prohibiting any member of the General Assembly from taking any fee or gift in any case pending before either House, upon pain of forfeiting his seat.

Read and referred to Committee on Legislative Department.

Mr. Willis introduced an ordinance prohibiting local legislation by the Legislature, and prescribing how the same shall be done.

Read and referred to the Committee on the Legislative Department.

Mr. Willis also introduced an ordinance to abolish the office of Attorney General of this State.

Read and referred to the Committee on the Judiciary.

Mr. Osborne offered a resolution making ineligible to office all persons holding public moneys until accounted for.

Read and referred to the Committee on Elective Franchise.

Mr. Underwood introduced a resolution subjecting the homestead to all judgments of trespass and damages.

Read and referred to Committee on Homestead and Exemptions.

Mr. Polk introduced an ordinance exempting from taxation two hundred dollars worth of household and kitchen furniture to each family, and also the farming and mechanical tools.

Read and referred to the Committee on Finance and Taxation.

Mr. Roberts offered a resolution prohibiting the exemption of any property from taxation, except church property.

Read and referred to the Committee on Finance and Taxation.

Mr. Spence, of the Thirty fifth, introduced an ordinance prescribing the manner of amending the Constitution.

Read and referred to the Committee on Constitutional Amendments.

Mr. Denton introduced a resolution providing for a homestead.

Read and referred to Committee on Homestead and Exemptions.

Mr. Denton also introduced an ordinance in relation to reduction of salaries of State officers.

Read and referred to the Committee on Finance and Taxation.

Mr. Denton also introduced a resolution fixing the terms of the Judges of the Supreme and Circuit Court Judges, and providing for their election.

Read and referred to Committee on the Judiciary.

Mr. Day offered a resolution in relation to the poll-tax.

Read and referred to the Committee on Finance and Taxation.

Mr. Garren introduced a resolution providing for the election of two Justices of the Peace in each militia district.

Read and referred to Committee on the Judiciary.

Mr. Henry introduced a resolution recommending the abolishment of the homestead law.

Read and referred to Committee on Homestead and Exemptions.

Mr. Wright offered a resolution that the Committee on the Capital do report, when they may be ready to do so, to the Committee on Revision of the Constitution.

On motion of Mr. Pierce, the resolution was laid on the table.

Mr. Hawkins introduced a resolution requiring county authorities to purchase a fire-proof repository for all the public records of each county in the State.

Read and referred to the Committee on Counties and County Officers.

Mr. Wright offered a resolution inquiring into the expediency of changing the present system of banking in this State.

Read and referred to Committee on Finance and Taxation.

Mr. Wofford offered a resolution protecting every voter in the right of suffrage.

Read and referred to the Committee on Elective Franchise.

Mr. Lawton offered the following resolution, which was adopted, to-wit :

Resolved, That the call of the districts for the introduction of new matter be suspended, after this day, until the further order of the Convention.

Mr. Reese, of the Twenty-eighth, moved to adjourn until Friday morning at 9 o'clock, which did not prevail.

Mr. Pierce moved to adjourn until to-morrow morning at 9 o'clock, which was agreed to.

ATLANTA, GEORGIA,
THURSDAY, July 19, 1877.

The Convention met, this morning, pursuant to adjournment, and was called to order by Mr. Jenkins, the President.

Prayer was offered by Rev. Mr. McDonald of the Fifth District.

Mr. Wright presented the proceedings of a mass meeting

in Rome, and moved that the document be referred to the Committee on the Legislative Department, which motion prevailed.

The President announced the following:

Committee on the Sale of State Railroads—Messrs. B. F. Tharpe, W. Russell, J. S. Clifton, A. H. Greer, J. D. Wilson, E. J. Coates, R. M. Paris, D. G. Phillips, D. O. Osborne.

Mr. Toombs, chairman of the Committee of Final Revision, submitted the following report:

SECTION 1. A well regulated militia being essential to the peace and security of the State, the General Assembly shall have authority to provide, by law, how the militia of this State shall be organized, officered, trained, armed and equipped—and of whom it shall consist.

SEC. 2. The General Assembly shall have power to authorize the forming of volunteer companies of infantry, cavalry and artillery, and for their organization into battalions, regiments, brigades, divisions and corps, with such restrictions as may be prescribed by law, and shall have authority to arm and equip the same.

SEC. 3. The officers and men of the militia, and volunteer forces, shall not be entitled to receive any pay, rations, or emoluments, when not in active service by authority of the State.

Mr. Toombs, chairman of the Committee on Final Revision, begs leave to make the following report, viz:

SECTION 1. In all elections, by the people, the electors shall vote by ballot.

SEC. 2. Every male person, born in the United States, and every male person who has been naturalized, twenty-one years old, or upward, who shall have resided in this State six months next preceding the election, and shall

have resided three months in the county in which he offers to vote, and shall, hereafter, pay all taxes which may hereafter be required of him, and which he may have an opportunity of paying, agreeably to law, except for the year of the election, shall be deemed an elector; and every male citizen of the United States, of the age aforesaid, (except as hereinafter provided,) who may be a resident of the State at the time of the adoption of this Constitution, shall be deemed an elector, and shall have all the rights of an elector as aforesaid: *Provided*, That no soldier, sailor or marine in the military or naval service of the United States, shall acquire the rights of an elector by reason of being stationed on duty in this State; and no person shall vote who, if challenged, shall refuse to take the following oath: "I do swear that I am twenty-one years old, have resided in this State six months, in this county three months, next preceding this election, I have paid all taxes which, since the adoption of the present Constitution of this State, have been required of me, and which I have had an opportunity to pay except for the present year."

SEC. 3. No person convicted of felony or larceny before any court of this State, shall be eligible to any office or appointment of honor or trust within this State, unless he shall have been pardoned.

SEC. 4. No person who is the holder of any public moneys, contrary to law, shall be eligible to any office in this State, until the same is accounted for, and paid into the treasury.

SEC. 5. No person, who, after the adoption of this Constitution, being a resident of this State, shall have been convicted of fighting a duel in this State, or convicted of sending, or accepting, a challenge, or convicted of aiding or abetting such duel, shall vote or hold office in this State, unless he shall have been pardoned; and every such person shall, also, be subject to such punishment as the law may prescribe.

SEC. 6. The General Assembly may provide, from time to time, for the registration of all electors, but the following classes of persons shall not be permitted to register, vote, or hold office: Those who shall have been convicted in any of the courts in this State of treason, of embezzlement of public funds, malfeasance in office, crime punishable by law with imprisonment in the penitentiary, or bribery, or larceny; idiots or insane persons.

SEC. 7. Electors shall, in all cases, except treason, felony, larceny, and breach of the peace, be privileged from arrest during their attendance on elections, and in going to, and returning from, the same.

SEC. 8. The General Assembly shall, by law, require the closing of retail liquor establishments, and forbid the sale of intoxicating drinks within two miles of election precincts, on days of elections in this State.

SEC. 9. Returns of election for all civil officers elected by the people, who are to be commissioned by the Governor, and also, for the members of the General Assembly, shall be made to the Secretary of State, unless otherwise provided by law.

Mr. Toombs moved to take up the report for action.

Mr. Warren moved, as a substitute, that the partial report of the committee be laid upon the table until they can complete their report.

Mr. Brown moved to amend by laying upon the table until each member be furnished with a copy of the report just made.

Mr. Mobley moved that this question be made the special order for to morrow morning, at 10 o'clock.

Mr. Warren accepted the amendment of Mr. Mobley, and the substitute, as amended, was received in lieu of the original motion, and agreed to.

A memorial of the city of Atlanta relative to the permanent location of the capital, was read, and upon motion

of Mr. Gartrell, was referred to the Committee on the Capital.

Mr. McDonald offered a resolution requesting the Judiciary Committee to report an ordinance making valid titles to property transferred after having been homesteaded.

Read and referred to the Committee on the Judiciary.

Mr. Screven offered a resolution providing that all bequests, donations and grants hereafter made for the benefit of the State University, and accepted by its trustees, shall vest in said trustees and their successors, for the support of said University ; and that the Legislature may make appropriations for the promotion and support of said University, when consistent with the financial condition of the State.

Read and referred to the Committee on Education.

Mr. Wells introduced an ordinance for the protection of the people from imposition by Life Insurance companies.

Read and referred to the Committee on Legislative Department.

Mr. Keller offered a resolution requesting the Committee on Homestead and Exemptions to report an ordinance fixing the homestead and exemptions at \$1,000 ; of this, \$700 to be in realty, and \$300 in personalty, to be permanent and fixed.

Read and referred to the Committee on Homestead and Exemptions.

Mr. Crane offered a resolution that the printing for the Convention shall be awarded to the lowest bidder.

Read and referred to the Committee on Printing.

Mr. McDonald offered a resolution providing for the reduction of the General Assembly.

Read and referred to the Committee on the Legislative Department.

Mr. Chambers offered the following resolution, which was agreed to, to-wit :

Resolved, That each report of the standing committees shall remain on the table for at least one day after being read at the Clerk's desk, and that printed copies be furnished each member of the Convention on the morning the same is read, until otherwise ordered.

Mr. Twitty offered a resolution upon the importance and benefits of the State Agricultural Department.

Read and referred to the Committee on Miscellaneous Provisions.

Mr. Sale offered a resolution providing that no Fire Insurance Company shall be permitted to do business in this State without first depositing with the Treasurer \$25,000 in United States or State bonds.

Read and referred to the Committee on the Legislative Department.

Mr. Pierce moved to adjourn till to-morrow morning at 9 o'clock, which motion prevailed.

ATLANTA, GEORGIA,
FRIDAY, July 20th, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by the Rev. Mr. Underwood, of the Thirty-first District.

Mr. Little moved to dispense with the reading of so much of the Journal of yesterday as relates to the report

of the Committee of Final Revision on the Elective Franchise, which motion prevailed.

Mr. Edge offered the following resolution, which was agreed to, as follows :

WHEREAS, the people of Georgia are anxiously inquiring whether or not the Constitution framed by this Convention will be submitted to them for approval; and, whereas, the enemies of good government are assiduously endeavoring to create respectable disaffection to the entire work of this Convention, based upon the ground that this Convention will refuse to submit its work to the people for their ratification; therefore, be it

Resolved, That the entire Constitution framed by this Convention shall be, at the proper time, referred to the people for their ratification, and shall receive a majority of the votes cast for or against the same before it shall be declared the law or Constitution of this State.

Mr. Burnett offered the following resolution, which was agreed to, to-wit :

Resolved, That the President of this Convention appoint a committee of nine—one from each Congressional District—to memorialize Congress on the subject of refunding the cotton tax; and that said Committee prepare, at as early a day as practicable, and report said memorial for approval by this Convention.

Mr. Warren, of the Twenty-third, introduced an ordinance providing for the appointment of a Board of Managers of State prisons and convicts.

Read and referred to the Committee on the Legislative Department.

Leave of absence was granted to Messrs. R. D. Winn, McCallum, Edge, Bush and Field.

Mr. Harris, chairman of the Committee on Public Institutions, submitted the following report, which was laid upon the table for one day, agreeably to the rule, to-wit:

A resolution has been submitted to the Committee on Public Institutions, requesting said committee to inquire into the propriety of abolishing the Chemical, Geological and Agricultural Bureaux, and report on the same to the Convention. We have considered the subject submitted to us, and would recommend that the Chemical, Medical, Geological and Agricultural Bureaux, or departments, be abolished, and an ordinance to that effect be passed.

S. W. HARRIS, *Chairman.*

Mr. Harrell, chairman of the Committee on Printing, submitted the following report:

The Committee on Printing, to which was referred the resolution "that the State Printer be authorized to do the necessary printing for the Convention on the same terms on which he does the regular State printing," report that the said resolution do pass, applying only to the temporary printing necessary to the transaction of the business of the Convention.

Mr. Tift offered the following proviso to the report:

Provided, That the Committee on Printing shall, as soon as practicable, report to the Convention the lowest responsible bid for printing the proceedings of this Convention.

The motion of Mr. Tift did not prevail.

Mr. Toombs, chairman of the Committee of Final Revision, submitted the following report, which was laid on the table, under the rules:

To perpetuate the principles of free government; insure justice to all; preserve peace; promote the interest and happiness of the citizen, and, through the protection and

guidance of Almighty God, to transmit to posterity the enjoyment of liberty, we, the people of Georgia, do ordain and establish this Constitution.

ARTICLE I.

1. That all government, of right, originates with the people, is founded upon their will only, and is instituted solely for the good of the whole ; that magistrates are their trustees and servants, and at all times amenable to them.

2. Protection to person and property is the paramount duty of government, and shall be impartial and complete.

3. All persons born, or naturalized, in the United States, and resident in this State, are hereby declared citizens of this State, and it shall be the duty of the Legislature to enact such laws as will protect every person in the full enjoyment of the rights, privileges and immunities due to such citizenship.

4. No person shall be deprived of life, liberty, or property, except by due process of law.

5. All men have the natural and inalienable right to worship God, each according to the dictates of his own conscience, and no human authority should, in any case, control or interfere with such right of conscience.

6. Every person charged with an offense against the laws of this State, shall have the privilege and benefit of counsel, shall be furnished on demand with a copy of the accusation, and a list of the witnesses on whose testimony the charge against him is founded ; shall have compulsory process to obtain the testimony of his own witnesses, shall be confronted with the witnesses testifying against him, and shall have a public and speedy trial by an impartial jury.

7. No person accused shall be compelled to pay costs, except after conviction, on final trial.

8. No person shall be put in jeopardy of life, or liberty, more than once for the same offense, save on his, or her,

own motion for a new trial after conviction, or in case of mistrial.

9. No law shall ever be passed to curtail, or restrain, the liberty of speech, or of the press: any person may speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

10. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause, supported by oath, or affirmation, particularly describing the place, or places, to be searched, and the persons or things to be seized.

11. There shall be, within the State of Georgia, neither slavery nor involuntary servitude, save as a punishment for crime, after legal conviction thereof.

12. The social status of the citizen shall never be the subject of legislation.

13. The writ of habeas corpus shall not be suspended.

14. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted; nor shall any person be abused in being arrested, while under arrest, or in prison.

15. The power of the courts to punish for contempt shall be limited by legislative acts.

16. There shall be no imprisonment for debt.

17. The General Assembly shall have the power to provide for punishment of fraud.

18. Banishment beyond the limits of the State, as a punishment for crime, shall not be allowed.

19. A well regulated militia being necessary for the security of a free people, the right of people to keep and bear arms shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne.

20. In all prosecutions or indictments for libel, the truth may be given in evidence, and the jury in that, and in all

criminal cases, shall be judges of the law and the facts. Whipping, as a punishment for crime, is prohibited.

21. No bill of attainder, *ex-post facto* law, retroactive law, or any law impairing the obligations of contracts, or any law making any irrevocable grant of special privileges or immunities, shall be passed.

22. In cases of necessity, private ways may be granted upon just compensation being paid by the applicant. Private property shall not be taken or damaged for public purposes, without just and adequate compensation being first paid.

23. All lotteries, and the sale of lottery tickets, are hereby prohibited; and the prohibition shall be enforced by penal laws.

24. Treason against the State of Georgia shall consist in levying war against it, adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or confession in open court.

25. No conviction shall work corruption of blood, and no conviction of treason shall work a forfeiture of estate.

26. The legislative, judicial, and executive powers shall forever remain separate and distinct, and no person discharging the duties of one shall, at the same time, exercise the functions of either of the others, except as herein provided.

27. Laws of a general nature shall have uniform operation throughout the State, and no special law shall be enacted in any case, for which provision has been made by an existing general law. No general law affecting private rights shall be varied in any particular case by special legislation, except with the free consent in writing of all persons to be affected thereby, and no person under legal disability to contract is capable of such free consent.

28. Legislative acts in violation of this Constitution, or

the Constitution of the United States, are void, and the judiciary shall so declare them.

29. The people have the right peaceably to assemble for their common good, and to apply to those vested with the powers of government for redress of grievances, by petition or remonstrance.

30. The people of the State have the inherent, sole and exclusive right of regulating their internal government, and the police thereof, and of altering and abolishing their Constitution and form of government, whenever it may be necessary to their safety and happiness.

Mr. Reese, of the Twenty eighth, introduced an ordinance providing that the Legislature shall have power to prescribe a punishment for children between the ages of ten and sixteen, who may be convicted of misdemeanor, different from that of older offenders.

Read and referred to Committee on the Legislative Department.

The special order of the morning was called, and Mr. Toombs, chairman of the Revisory Committee, presented a revised copy of the report of yesterday, which was again read.

Mr. Seward moved to lay the report upon the table until all the reports are made to the Committee of Final Revision, so that the whole may be considered at once.

The President announced that this subject had been disposed of yesterday, and ruled that the motion was not in order.

Mr. Tift moved that the special order of the day be postponed for the present.

The motion did not prevail.

The report of the committee in reference to militia was taken up by sections.

Mr. Head offered the following in lieu of first and second sections, to-wit :

SECTION 1. The militia of the State shall consist of all able bodied male persons between the ages of eighteen and forty-five, except such as may be exempt by the laws of the United States and of this State, and shall be organized, armed and disciplined as provided by the Congress of the United States.

SEC. 2. The General Assembly shall have power to provide, by law, for the appointment of the officers, and for governing the militia when not in the service of the United States, and to provide for the training of the militia according to the discipline prescribed by Congress.

Mr. Ingram moved to lay the amendment upon the table, which prevailed.

Upon motion of Mr. Wellborn, the report upon militia was adopted as a whole.

The report of the Committee on the Elective Franchise was also taken up by sections.

Mr. Bass moved that the report be laid upon the table until to-morrow morning, which motion did not prevail.

Mr. Pierce moved to amend section second, fourth line, by adding the word had after the word "have," which motion prevailed.

Mr. McDonald moved to amend the twelfth line of the second section, by striking out "six" and inserting twelve.

Mr. Pierce moved, as a substitute, to strike out "six months," and insert: one year, which was agreed to.

Mr. Hammond, of the Twenty-second, moved to adjourn till Monday morning, at 9 o'clock.

Mr. Bass moved to amend by striking out "Monday" and inserting : to-morrow.

The motion was lost.

The original motion of Mr. Hammond did not prevail.

Mr. Lawton moved to amend the fourth line of the second section by striking out after "shall hereafter pay," and insert the words : have paid, before the words "all taxes," which prevailed.

Mr. Bass moved to adjourn till to-morrow morning, at 9 o'clock.

Mr. Hill moved to amend by striking out "to-morrow" and inserting : Monday.

The amendment was lost.

The motion of Mr. Bass was also lost.

Mr. McDonald moved to amend the third line and second section by striking out "three" and inserting : six, which motion was agreed to.

Mr. Wofford moved to amend by striking out all of the fourth line and a portion of the fifth line, ending with the word "election."

Mr. Davis moved to lay the amendment of Mr. Wofford upon the table, which motion prevailed.

Mr. Ponder moved to amend by adding to the fourteenth line : and that I have not voted in this day's election, which motion prevailed.

Mr. Knight moved to amend the third line, after the word "county," the words : or district.

Mr. Fain moved to lay the amendment on the table, which motion prevailed.

Mr. Respass moved to amend the fourteenth line by striking out the words "except for the present year," and inserting the words: according to law.

Mr. Harrell moved, as a substitute, to insert the word: legally, before the word "returned," in the fourteenth line, and strike out all after the word "pay," in the same line.

- The motion was lost.

Mr. Lawson offered the following substitute to the amendment of Mr. Respass: Strike out "except for," and insert: previous to, in the fourteenth line.

The substitute was accepted by Mr. Respass, and agreed to.

Mr. Toombs moved to strike out in first line, after the word "male," all words before the words "twenty-one," and insert, in lieu thereof, the words: citizens of the United State, which motion prevailed.

Mr. Day moved to amend the fourth line by striking out the words "except for the year of the election," and inserting the words: for the year preceding the election.

Mr. Pierce moved to lay the amendment of Mr. Day upon the table, which motion prevailed.

Mr. Wallace moved to amend the thirteenth line by inserting, after the word "all" and before the word "taxes," the word : legal.

Mr. Little moved to lay the amendment upon the table, which prevailed.

Mr. Tuggle moved to amend by striking out the words "or upward " in the second line.

The motion did not prevail.

Mr. Holcombe moved to amend the eleventh line by inserting, after the word "oath," the words: or affirmation; and, after the word "swear," insert the words: or affirm, which motion prevailed.

Mr. Hill moved to amend section third by striking out, in line 1, the words "before any Court of this State," and inserting the words: larceny by any court of competent jurisdiction in the United States.

Mr. Little moved as a substitute, to strike out the entire section.

Mr. Brown moved to amend the motion of Mr. Hill by adding: any State.

Upon motion of Mr. Holcombe, the motion of Mr. Hill and the amendment to it were laid upon the table.

Mr. Mershon moved that the motion to strike out section third be laid upon the table, which motion did not prevail.

The motion to strike out was taken up and agreed to.

Mr. Gartrell moved to amend the fifth section as follows: by striking out, after the word "shall," in the third line, the words "vote or."

Mr. Toombs moved to amend by striking out the whole section.

The amendment of Mr. Toombs was lost, and the original motion of Mr. Gartrell prevailed.

Mr. Twitty moved to amend section fifth by adding, after the words "convicted of fighting a duel in this State," the words: or elsewhere.

Upon motion of Mr. Robertson, the amendment of Mr. Twitty was laid upon the table.

Mr. Hill moved to amend the second line of section fifth by striking out the words "or accepting," which motion did not prevail.

Mr. Sanders moved to strike out the fifth section.

Upon motion of Mr. Davis, the amendment of Mr. Sanders was laid upon the table.

Mr. Dismuke moved to adjourn until to-morrow morning at 9 o'clock.

Mr. Reese, of the Twenty eighth, moved to adjourn until Monday morning at 9 o'clock.

Mr. Scott, of the Thirteenth, moved to adjourn until this afternoon at 3 o'clock.

The motion to adjourn until Monday was lost.

The motion to adjourn until 9 o'clock to-morrow morning prevailed, and the Convention was declared adjourned until that hour.

ATLANTA, GEORGIA,
SATURDAY, July 21st, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by Mr. Jenkins, the President.

Prayer was offered by the Rev. Mr. Hamilton, of the Forty-second District.

Mr. Wallace moved to reconsider so much of the Journal of yesterday as relates to the resolution of Mr. Edge to submit the Constitution to the people for ratification or rejection.

Mr. Hamilton, of the Forty-second, moved to lay the motion to reconsider on the table, which motion prevailed.

Mr. Wofford moved to reconsider so much of the Journal of yesterday as refers to the amendment to the report of the Committee of Final Revision, in the second line, and second section of the report on elective franchise, striking out "six months" and inserting: one year, and the word "three" and inserting: six, in the twelfth line.

Mr. DuBose moved to lay the motion to reconsider on the table, which motion prevailed.

Mr. Toombs moved to suspend the order of business for the purpose of receiving the report of the Committee of Final Revision, which motion prevailed.

Mr. Toombs, chairman of the Committee on Final Revision, then submitted the following report, which was laid upon the table, under the rule, to-wit:

ARTICLE I.

SECTION 1. Each organized county shall be a body corporate with such powers and limitations, as may be prescribed by law, not incompatible with this Constitution. All suits by or against a county shall be in the name thereof; and the metes and bounds of the several counties shall remain as now prescribed by law, unless changed as hereinafter provided.

SEC. 2. No new county shall be created.

SEC. 3. County lines shall not be changed, unless under the operation of a general law for that purpose.

SEC. 4. No county site shall be changed or removed, except by a two-thirds vote of the qualified voters of the county, voting at an election held for that purpose, and a two-thirds vote of the General Assembly.

SEC. 5. Old county organizations may be dissolved and merged with contiguous counties by a two-thirds vote of the qualified electors of such county, voting at an election held for that purpose.

SEC. 6. The county officers shall be elected by the qualified voters of their respective counties or districts, and shall hold their offices for two years. They shall be removed on conviction for malpractice in office, and no person shall be eligible to any of the offices above referred to, unless he shall have been a resident of the county for one year, and shall be qualified to discharge the duties thereof.

SEC. 7. Whatever tribunal or officers may hereafter be created by the Legislature, for the transaction of county matters, shall be uniform throughout the State, and of the same name, jurisdiction and remedies, except that the

Legislature may provide for the appointment of commissioners of roads and revenue in any county.

The unfinished business of yesterday was then taken up.

Mr. Harrell moved to amend section five by striking out the words, in the first line, "being a resident of this State."

The amendment was lost.

Mr. Bass moved to amend the third line of the sixth section, by adding after the word "State," the words: or other States.

Mr. Wofford offered the following amendment to the amendment of Mr. Bass, to add, after the word "State," the words: or any other State of the United States: *Provided*, The acts constituting the crimes of which persons have been or shall be convicted, in other States, are, or shall be, crimes by the laws of this State.

Mr. Crane moved that the original amendment, and the amendment of Mr. Wofford, be laid upon the table, which motion prevailed.

Mr. Hill offered the following amendment to the sixth section: In any court of competent jurisdiction, of embezzlement of public funds, malfeasance in office, bribery, or "larceny," or other crime punishable by the laws of this State, with imprisonment in the penitentiary.

Mr. Gartrell offered the following substitute to the amendment of Mr. Hill, by adding to the fifth line, after the word "larceny" the words: Unless their disabilities shall be removed in the manner prescribed by law.

Mr. Mobley moved to lay the amendment of Mr. Hill, and the substitute upon the table, which motion prevailed.

Mr. Hammond offered the following substitute for the whole of section six :

The General Assembly may provide, from time to time, for the registration of all electors, but the following classes of persons shall not be permitted to register, vote, or hold any office of appointment of honor or trust in this State, viz: Those who have been convicted of treason against this State, of embezzlement of public funds, malfeasance in office, bribery or larceny, in any court of competent jurisdiction, or any other crime involving moral turpitude, punishable by the laws of this State, with imprisonment in the penitentiary, (unless such person shall have been pardoned) idiots or insane persons.

Mr. Lawson moved to strike out the words "of treason."

Mr. Hunt moved to lay the amendment of Mr. Lawson upon the table, which was agreed to.

Mr. Greer moved to add : involving moral turpitude, which was accepted by Mr. Hammond.

Mr. Guerard moved to insert after the word "treason" the words, against the State of Georgia, which was agreed to.

Mr. Rowe moved to strike out "may," in the first line, and insert : shall, which motion was lost.

The substitute of Mr. Hammond, as amended, was agreed to.

Mr. Lewis moved to amend section eight, second line, after the word "sale" the words : distribution or furnishing.

Mr. Ellington offered the following substitute for the entire section :

SECTION 8. The General Assembly shall, by law, require the closing of all liquor establishments, and forbid the sale of intoxicating liquors on all days of election in this State.

Mr. Bachlott moved that the amendment of Mr. Lewis, as amended, be laid upon the table, which motion was lost.

The motion of Mr. Lewis was agreed to.

Mr. Hill moved to strike out, in the first line of the eighth section, the words "require the closing of retail liquor establishments and."

The amendment was agreed to.

Mr. Pace moved to amend section eight by inserting, after the word "elections," in the second line, the words: State, county, or municipal, which was agreed to.

Mr. Harrell moved to add to the eighth section the following words: and provide punishment for the violation of the same.

The amendment was agreed to.

Mr. Lowe moved to amend section eight, second line, by striking out the words "within two miles of election precincts."

Mr. Wells moved, as a substitute, to insert, in the second line, the words: within this State.

Upon motion of Mr. Crane, all the amendments to section eight before the house were laid upon the table.

Mr. Cooper offered the following as a substitute for the whole of section eight:

SECTION 8. The General Assembly shall, by law, require the closing of all liquor establishments, and forbid the sale or furnishing of all intoxicating drinks for twenty-four hours, beginning at 6 o'clock A. M., on the days of election, in this State.

Upon motion of Mr. Crane, all the substitutes for section eight were laid upon the table.

The previous question was called upon the eighth section, as amended.

The call was sustained, and the previous question put and agreed to.

Mr. Guerard offered the following as an additional section to the report of the Committee of Final Revision on the Elective Franchise, to-wit :

SECTION 10. Women twenty-one years of age, and upwards, shall be eligible to any office of control or management under the school laws of this State.

Mr. Wellborn moved to amend by striking out the word "women," and inserting the word : female.

Upon motion of Mr. Holcombe, the proposed tenth section, with the amendment, was laid upon the table.

Mr. Scott, of the Thirteenth, offered the following as an additional section :

The General Assembly shall also provide for the establishing places for voting in each militia district of the several counties, and in each ward of the several cities of this State, and each elector shall be required to cast his vote at all elections in the district or ward in which he resides, and not elsewhere.

Mr. Mershon moved to lay the amendment on the table, which motion prevailed.

Mr. Wofford offered the following as an additional section, to-wit:

SEC. 10. That it shall be the duty of the managers of elections to challenge all delinquent tax payers; and the next Legislature shall provide by law for furnishing such list.

The amendment was lost.

Mr. Lawton moved to amend the second section by striking from the sixth, seventh and eighth lines the following words: "And every male citizen of the United States, of the age aforesaid, who may be a resident of the State at the time of the adoption of this Constitution, shall be deemed an elector, and shall have all the rights of an elector as aforesaid."

The amendment was agreed to.

Mr. Winn, of DeKalb, moved to amend the second section by the addition of the following words: And that I am otherwise qualified to vote under the Constitution and laws of this State.

Upon motion of Mr. Brown, the amendment was laid upon the table.

Mr. Hunt called the previous question, which call was sustained.

The report of the Committee on Elective Franchise, as amended, was then adopted by the Convention.

The report of the committee, as amended, is as follows, to-wit:

SECTION 1. In all elections by the people the electors shall vote by ballot.

SEC. 2. Every male citizen of the United States, except as hereinafter provided, twenty-one years old, or upward, who shall have resided in this State one year next preceding the election, and shall have resided six months in the county in which he offers to vote, and shall have paid all taxes which may hereafter be required of him, and which he may have had an opportunity of paying, agreeably to law, except for the year of the election, shall be deemed an elector. *Provided,* That no soldier, sailor, or marine, in the military or naval service of the United States, shall acquire the rights of an elector by reason of being stationed on duty in this State; and no person shall vote who, if challenged, shall refuse to take the following oath or affirmation: "I do swear (or affirm) that I am twenty-one years old, have resided in this State one year, and in the county six months next preceding this election. I have paid all taxes which since the adoption of the present Constitution of the State have been required of me, and which I have had an opportunity to pay previous to the present year; and that I have not voted at this day's election."

SEC. 3. No person who is the holder of any public moneys, contrary to law, shall be eligible to any office in this State, until the same is accounted for, and paid into the Treasury.

SEC. 4. No person, who, after the adoption of this Constitution, being a resident of this State, shall have been convicted of fighting a duel in this State, or convicted of sending, or accepting a challenge, or convicted of aiding or abetting such duel, shall hold office in this State, unless he shall have been pardoned; and every such person shall, also, be subject to such punishment as the law may prescribe.

SEC. 5. The General Assembly may provide, from time to time, for the registration of all electors, but the following classes of persons shall not be permitted to register, vote, or hold any office, or appointment of honor, or trust, in this State, viz: Those who shall have been convicted of treason against this State, of embezzlement of public funds, malfeasance in office, bribery or larceny, in any court of competent jurisdiction, or of any crime involving moral turpitude, punishable by the laws of this State with imprisonment in the penitentiary, unless such person shall have been pardoned; idiots, or insane persons.

SEC. 6. Electors shall, in all cases, except treason, felony, larceny, and breach of the peace, be privileged from arrest during their attendance on elections, and in going to, and returning from, the same.

SEC. 7. The General Assembly shall, by law, forbid the sale, distribution, or furnishing of intoxicating drinks, within two miles of election precincts, on days of elections, State, county, or municipal, in this State, and prescribe punishment for a violation of the same.

SEC. 8. Returns of elections for all civil officers elected by the people, who are to be commissioned by the Governor, and, also, for the members of the General Assembly, shall be made to the Secretary of State, unless otherwise provided by law.

Upon motion of Mr. Mershon, the Convention adjourned until Monday morning at 10 o'clock.

ATLANTA, GA.,
MONDAY, July 23, 1877.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Prayer by the Rev. Mr. Henry, of the Forty-first District.

Mr. Guerard moved to reconsider a part of the Journal relative to the report of the Committee on the Elective Franchise.

Upon motion, the motion to reconsider was laid upon the table.

Mr. Gignilliatt introduced an ordinance to fix the number of judicial circuits in this State.

Upon motion, the ordinance was referred to the Committee on the Reduction of Judicial Circuits, without being read.

Mr. Toombs, chairman of the Committee of Final Revision, submitted the following report on the Executive Department, which was read, and, under the rule, laid upon the table for the present:

ARTICLE IV.—EXECUTIVE.

SECTION 1. The Executive Department shall consist of a Governor, Secretary of State, Comptroller General, and Treasurer.

2. The executive power shall be vested in a Governor, who shall hold his office during the term of two years, and until his successor shall be chosen and qualified. He shall not be eligible to re-election after the expiration of a

second term for the period of four years. He shall have a competent salary, established by law, which shall not be increased or diminished during the period for which he shall have been elected; nor shall he receive, within that time, any other emolument from the United States, or either of them, or from any foreign power.

3. The first election for Governor, under this Constitution, shall be on the first Wednesday in October, in the year 1880, and biennially thereafter, by the persons qualified to vote for the members of the General Assembly. Said election shall be held at the places of holding general elections in the several counties of this State, in the manner prescribed for the election of members of the General Assembly.

4. The returns for every election of Governor shall be sealed up by the managers, separately from other returns, and directed to the President of the Senate and Speaker of the House of Representatives, and transmitted to the Secretary of State, who shall, without opening the said returns, cause the same to be laid before the Senate on the day after the two Houses shall have been organized; and they shall be transmitted by the Senate to the House of Representatives.

5. The members of each branch of the General Assembly shall convene in the Representative Hall, and the President of the Senate and the Speaker of the House of Representatives shall open and publish the returns in the presence of the General Assembly; and the person having the majority of the whole number of votes given, shall be declared duly elected Governor of this State; but if no person have such majority, then, from the two persons having the highest number of votes, who shall be in life, and shall not decline an election at the time appointed for

the Legislature to elect, the General Assembly shall immediately elect a Governor *viva voce*; and in all cases of election of a Governor by the General Assembly, a majority of the votes of the members present shall be necessary for a choice.

6. Contested elections shall be determined by both Houses of the General Assembly, in such manner as shall be prescribed by law.

7. No person shall be eligible to the office of Governor who shall not have been a citizen of the United States fifteen years, and a citizen of this State six years, and who shall not have attained the age of thirty years.

8. In case of the death, resignation or disability of the Governor, the President of the Senate shall exercise the Executive powers of the Government until such disability be removed, or a successor is elected and qualified. And in case of the death, resignation or disability of the President of the Senate, the Speaker of the House of Representatives shall exercise the Executive powers of the government until the removal of the disability, or the election and qualification of a Governor.

9. The General Assembly shall have power to provide, by law, for filling unexpired terms by a special election.

10. The Governor shall, before he enters on the duties of his office, take the following oath, or affirmation: "I do solemnly swear (or affirm, as the case may be,) that I will faithfully execute the office of Governor of the State of Georgia, and will, to the best of my ability, preserve, protect and defend the Constitution thereof, and the Constitution of the United States of America."

11. The Governor shall be Commander-in-Chief of the army and navy of this State, and of the militia thereof.

12. He shall have power to grant reprieves and pardons, to commute penalties, remove disabilities imposed herein, or otherwise, by law, and to remit any part of a sentence for offenses against the State, after conviction, except in cases of treason and impeachment, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason, he may suspend the execution of the sentence, and report the case to the General Assembly, at the next meeting thereof, when the General Assembly shall either pardon, commute the sentence, direct its execution, or grant a further reprieve. He shall, at each session of the General Assembly, communicate to that body each case of reprieve, pardon, or commutation granted, stating the name of the convict, the offense of which he was convicted, the sentence and its date, the date of the reprieve, pardon, or commutation, and the reasons for granting the same. He shall take care that the laws are faithfully executed, and shall be a conservator of the peace throughout the State.

13. He shall issue writs of election to fill all vacancies that happen in the Senate, or House of Representatives, and shall have power to convoke the General Assembly on extraordinary occasions, and shall give them, from time to time, information of the Commonwealth, and recommend to their consideration such measures as he may deem necessary and expedient; but no law shall be enacted at called sessions of the Legislature, except such as shall relate to the object stated in his proclamation convening them.

14. When any office shall become vacant by death, resignation, or otherwise, the Governor shall have power to fill such vacancy, unless otherwise provided by law; and persons so appointed shall continue in office until a successor is appointed, agreeably to the mode pointed out by this Constitution, or by law, in pursuance thereof.

15. A person once rejected by the Senate shall not be re-appointed by the Governor to the same office during the same session, or the recess thereafter.

16. The Governor shall have the revision of all bills, passed by both Houses, before the same shall become laws, but two-thirds of each House may pass a law, notwithstanding his dissent, and if any bill should not be returned by the Governor within five days (Sunday excepted) after it has been presented to him, the same shall be a law, unless the General Assembly, by their adjournment, shall prevent its return. He may approve any appropriation, and disapprove any other appropriation, in the same bill, and the latter shall not be effectual unless passed by two-thirds of each House.

17. Every vote, resolution, or order, to which the concurrence of both Houses may be necessary, except on a question of election, or adjournment, shall be presented to the Governor, and, before it shall take effect, be approved by him, or, being disapproved, shall be repassed by two-thirds of each House, according to the rules and limitations prescribed in case of a bill.

18. He may require information, in writing, from the officers in the Executive Department, on any subject relating to the duties of their respective offices. It shall be the duty of the Governor, semi-annually, and oftener if he deems it expedient, to examine, under oath, the Treasurer and Comptroller General of the State on all matters pertaining to their respective offices, and to inspect and review their books and accounts. The General Assembly shall have authority to provide by law, if existing provisions are not sufficient, for the suspension of either of said officers, from the discharge of the duties of his office, and, also, for the

appointment of a suitable person to discharge the duties of the same.

SEC. 2. The Secretary of State, Comptroller General, and Treasurer, shall be elected by the persons qualified to vote for members of the General Assembly, at the same time and in the same manner as the Governor; they shall be commissioned by the Governor, and hold their offices for the same time as the Governor.

2. Their several salaries shall be fixed by the General Assembly, but shall not exceed the sum of two thousand dollars, each, per annum, and shall not be increased, or diminished, during the period for which they shall have been elected.

3. The Treasurer shall not be allowed, directly, or indirectly, to receive any fee, interest, or reward, from any person, bank, or corporation, for the deposit, or use, in any manner, of the public funds, and the General Assembly shall enforce this provision by suitable penalties.

4. No person shall be eligible to the office of Secretary of State, Comptroller General, or Treasurer, unless he shall have been a citizen of the United States at least ten years, and shall have resided in this State at least six years next preceding his election, and shall be at least twenty-five years of age when elected. And the General Assembly may by law require that any of said officers shall give bond and security for the faithful discharge of their duties.

5. The Secretary of State, the Comptroller General, and the Treasurer, shall not be allowed any fee, perquisite, or compensation, other than their salaries, as prescribed by law, except their necessary expenses when absent from the seat of Government on the business of the State.

SECTION 3. The Great Seal of the State shall be deposited in the office of the Secretary of State, and shall not be affixed to any instrument of writing but by order of the Governor or General Assembly, and that now in use shall be the Great Seal of the State, until otherwise provided by law, which shall be impressed directly upon the instrument to which it is affixed, and not upon wax, as heretofore.

SECTION 4. The Governor shall have power to appoint his own secretaries, not exceeding two in number.

Upon motion of Mr. Toombs, the report of the Final Revision Committee on the Bill of Rights was taken up for action.

Leave of absence was granted Messrs. Loftin, Swanson, and Robertson.

Mr. Hammond, of the Thirty-fifth District, moved to strike out in the second line the words: "through the protection and guidance of Almighty God to," and insert, after the word Georgia in the third line: relying on the protection and guidance of Almighty God.

The motion was agreed to.

Mr. Harrell moved to amend Article I. by inserting after the word "magistrate" in the second line: and public officers, which motion was adopted.

Mr. Wright moved to amend Article I., first line, by striking out the word "that," which motion was agreed to.

Mr. W. G. Johnson moved to insert the word: are, in the second line, after the word "and," which motion did not prevail.

Mr. Lewis moved to strike out the word "that" in the second line, which motion prevailed.

Mr. Hill moved to amend the second line of Article I. by placing a period after the word "whole," which motion was agreed to.

Mr. Abda Johnson moved to amend Article I., second line, by striking out the words "magistrates and," which motion was agreed to.

Mr. Matthews moved to strike out the following words in the third paragraph, to-wit: "All persons born or naturalized in the United States and," and insert the words: all citizens of the United States.

Agreed to.

Mr. Hill moved to strike out the words "of this State," in second line, and insert the word: thereof.

The motion was lost.

Mr. Bass moved to amend by striking out the words "every person," in the third line, and insert the words: them, which motion was agreed to.

Mr. Tuggle moved to strike out the word "Legislature," in the second line, and insert the words: General Assembly, which motion was agreed to.

Mr. Key moved to amend paragraph four by adding thereto the following: And of life and liberty, only by the judgment of his peers, nor deprived of his rights to defend his cause before any tribunal in this State, in person, by attorney, or both, and where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; so that said paragraph shall read:

No person shall be deprived of life, liberty, or property, except by due process of law ; and of life, or liberty, only by the judgment of his peers ; nor deprived of his rights to defend his cause before any tribunal in this State, in person, by attorney, or both, and where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved.

On motion of Mr. Brown, the motion was laid on the table.

Mr. Ingram moved to amend the report by inserting the following section, to follow section four, to-wit :

The right of trial by jury shall remain inviolate, but the selection and number of jurors may be regulated by law.

Which motion did not prevail.

Mr. Wells moved to strike out, in the fifth paragraph, the word "men," and insert the word : persons ; and, in the second line, to strike out "his," and insert the word : their ; which, upon motion of Mr. Pace, was laid upon the table.

Mr. Matthews offered the following as a substitute for paragraph fifth, as reported by the committee, to-wit :

There shall be perfect freedom of religious sentiment in this State : no person shall be molested for his opinions, or be subject to any civil or political incapacity, or acquire any civil or political advantage, in consequence of such opinions.

Mr. Hill offered the following as a substitute for Mr. Matthews' motion, to-wit :

Perfect freedom of religious sentiment is hereby secured

to every inhabitant of this State; and no person shall be molested, in person or property, nor prohibited from holding any office of trust on account of any religious opinion by such person entertained.

Mr. Toombs moved the previous question.

The call was sustained, and section five, as reported by the Committee, was adopted.

Mr. Hammond, of the Thirty-fifth District, introduced the following, and moved their adoption as sections, following section five, to-wit:

SECTION 6. No inhabitant of this State shall be molested in person or property, or prohibited from holding any public office, or trust, on account of his religious opinions. But the right of liberty of conscience shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the State.

SEC. 7. No money shall ever be taken from the public treasury, directly, or indirectly, in aid of any church, sect, or denomination of religionists, or of any sectarian institution.

The motion was agreed to.

A memorial was received by the President, Mr. Jenkins, from the New York Warehouse and Security Company, in relation to certain bonds of the State, which was read, and on motion, referred to the Committee of Final Revision.

Mr. Ellington presented a memorial to the Convention from the citizens of Montezuma, which, without being read, was referred to the Committee on Legislative Department.

Mr. Bachlott moved to adjourn until to-morrow morning at 9 o'clock.

The motion was lost.

Mr. Perry introduced an ordinance to legalize and make valid certain verdicts and awards of the courts declared void by the Supreme Court of the State.

Read and referred to the Committee on the Judiciary.

Mr. Keller submitted a minority report from the Committee on Public Institutions, which was referred to the Committee of Final Revision.

Mr. Warren moved to amend paragraph eight, fifth line, by inserting: shall have the right to be tried separately when two or more persons are charged with a joint offense.

Upon motion, it was laid on the table.

Mr. Key moved to amend paragraph eight by adding thereto the following: nor be compelled in any criminal case to be a witness against himself, which motion was lost.

Mr. Bass moved that the paragraph be amended as follows: no person is a competent witness in any case where he is interested, which motion was lost.

Mr. Key offered the following as an additional paragraph, to-wit:

SEC. 16. The civil authority shall be superior to the military, and no soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, only by the civil magistrate, in such manner as may be provided by law.

The motion to amend was adopted.

Mr. Wilson moved to add to the seventeenth paragraph the words: whipping, as a punishment for crime, is prohibited.

The motion was lost.

Mr. L. J. Winn moved to amend paragraph nineteen as follows, to-wit :

But the Legislature shall provide by law for the imprisonment of a debtor who fails to discover, or surrender, property in his possession, custody, or control, not exempt from levy and sale by the laws of this State, after issue joined and found against him, until he complies with the order, or judgment, of the court having cognizance of such cause.

Upon motion of Mr. Nisbet, the motion to amend was laid upon the table.

Mr. Reese, of the Twenty-eighth District, moved to amend by adding : except for fraudulent concealment of property, or money, over and above the exemptions allowed by law.

Upon motion of Mr. Toombs, the motion was laid upon the table.

The hour of adjournment having arrived, the President adjourned the Convention until to-morrow morning at 9 o'clock.

ATLANTA, GEORGIA,
TUESDAY, July 24, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by Mr. Jenkins, the President.

Prayer was offered by the Rev. Mr. Tharpe, of the Twenty-third District.

Mr. Key moved to reconsider so much of the Journal of yesterday as refers to his amendment to the fourth article of the Bill of Rights.

Mr. L. J. Winn moved to lay the motion to reconsider on the table, which motion prevailed.

Mr. Bass moved to reconsider so much of the Journal of yesterday as refers to his amendment to paragraph eight of the report on Bill of Rights.

Upon motion of Mr. Gartrell, the motion to reconsider was laid upon the table.

Leave of absence was granted to Messrs. Respass, McCrimmon, and Russell.

The majority and minority reports of the Committee on the Capital, were presented, without reading.

Mr. Wright moved that the reports be laid upon the table, subject to the order of the Convention, and that three hundred copies of each be printed, which motion prevailed.

The following is the report of Committee on Location of the Capital :

The undersigned, being a majority of the committee to which was referred the matter relative to location of the Capital, beg leave to submit the following resolutions and accompanying statement to the Convention as their report :

JOHN COLLIER,
FRANCIS FONTAINE,
W. S. WALLACE,
SAMUEL HAWKINS,
POPE BARROW.

The above is the report of a majority of the committee.
M. H. LEWIS, *Chairman*.

Resolved, That the chairman report back to the Convention the proposition of the city of Atlanta to donate lands and erect a Capitol building in the city of Atlanta for the State of Georgia, together with a statement in detail of the money expended by the city of Atlanta in payment for the Opera House, now used as a State Capitol.

Resolved further, That the question whether Atlanta shall be the permanent Capital be submitted to the Convention, to be by that body decided, or submitted to the people, as it may deem most expedient.

The city of Atlanta submits the following memorial to the Constitutional Convention :

1. If Atlanta is selected by the Convention as the permanent Capital of the State, and if such selection is submitted, and the same is ratified by the people, the city of Atlanta will convey to the State of Georgia, any ten acres of land in or near the city of Atlanta now unoccupied ; or the square in the heart of said city, known as the City Hall

lot, containing five acres of land, and bounded by a street on every side, on which to locate and build a Capitol for the State.

2. The City of Atlanta will build for the State of Georgia, on the location selected, a Capitol building as good as the old Capitol building in Milledgeville.

3. A copy of this memorial, signed by the Mayor, and certified to by the Clerk of Council under the seal of his office, shall be presented to the Constitutional Convention, and when the seat of government shall be permanently located in Atlanta, as above stated, then the proposition herein contained, if accepted, shall be a binding contract on the city of Atlanta.

CITY CLERK'S OFFICE,
ATLANTA, July 18, 1877.

I hereby certify that at a called meeting of the Mayor and Council, held this day at the Mayor's office, a full board being present, the above memorial was unanimously adopted; and at a meeting of the Mayor and Board of Aldermen, held the same day, a full board being present, the same was unanimously concurred in by them.

N. L. ANGIER, *Mayor*.

FRANK T. RYAN, *Clerk of Council*.

A STATEMENT IN DETAIL OF THE MONEY EXPENDED BY THE
CITY OF ATLANTA, IN PAYMENT FOR THE OPERA HOUSE.

It appears from the evidence before us that the city of Atlanta, in 1868, made a proposition to the authorities of the State of Georgia that, if the Capital should be located at Atlanta, they would furnish, free of cost to the State, for and during the term of ten years, a Capitol. At some time in the year 1868, the city leased for a Capitol a portion

of what was known as the Opera House, which was then in process of erection, from H. I. Kimball, for the space of five years, at the price, or sum, of six thousand dollars per annum.

On the 4th day of December, 1868, the city of Atlanta issued to H. I. Kimball sixty bonds, of \$500 each, which were to become due at the rate of \$6,000 per annum.

These bonds were turned over to Kimball, the Opera House was completed, and on the —— day of ——, 1868, the State of Georgia took charge of the Capitol, thus furnished, and have occupied it ever since.

In the year 1870, the State agreed to purchase the building that had been thus leased by the city of Atlanta, and to pay for the same the sum of \$380,000; the city of Atlanta agreeing, in the meantime, to pay a sum in the aggregate of \$130,000 for and on account of the Capitol, and to be relieved entirely from the first obligation to furnish a Capitol, free of cost, to the State for the term of ten years. The city of Atlanta did, accordingly, on the 23d day of August, 1870, make and deliver to the State a certificate as follows:

STATE OF GEORGIA—CITY OF ATLANTA:

To whom it may concern:

The Mayor and Council of the city of Atlanta hereby certify, that there is due from the city of Atlanta, to the State of Georgia, the seven per cent. bonds of said city to the amount of \$130,000, which said bonds said Mayor and Council propose to contribute toward the purchase, by the State, of the Kimball Opera House property, and which said proposition has been accepted, and the purchase has been made, said bonds are to be delivered to the holder of this certificate upon the return thereof.

This certificate was deposited by H. I. Kimball with the Governor, to indemnify the State against a certain mortgage for \$60,000, that was outstanding against said property thus purchased.

On the 25th day of August, 1870, H. I. Kimball gave to the city the following receipt:

Received of the City Council of Atlanta, thirty thousand dollars of bonds, which they have contracted to give the State in part payment for Capitol building.

The bonds of the city of Atlanta, to the amount of \$100,000, were prepared, bearing date October 29, 1870, and on the ——— day of December, 1870, E. N. Kimball presented the before mentioned certificate to the city authorities of Atlanta, and they delivered to E. N. Kimball \$75,000 of the bonds of the city, and E. N. Kimball delivered up said certificate to the city authorities.

At the time these \$75,000 of bonds were delivered to E. N. Kimball, some question arose between the City Council and Kimball about interest. This question was settled between Kimball and the City Council, and on the 31st of December, 1870, the balance of the \$100,000 of the city bonds were delivered to Kimball. How this certificate of \$100,000, that was placed in the hands of the authorities of the State, for the protection of the State against the mortgage that was outstanding against the Capitol building, got out of the hands of the Executive of the State, and into the hands of Kimball, while the mortgage was still in full force against the property, is a question that your committee have not been able to determine. We learn that there is an investigation now being had in the courts of this State, that may throw some light on this question. Our investigation does not, however, justify the conclusion that the city of Atlanta had anything to do

with this certificate, after it was placed into the hands of the State, until it was presented and the bonds were demanded.

On the contrary, after a patient and careful investigation, we are satisfied that the city of Atlanta has acted in the utmost good faith, and that they have nearly paid every dollar that they have agreed to pay toward the purchase of the Capitol building.

It appears that at the time of the purchase of the Capitol by the State, that there was a mortgage of \$60,000 outstanding and unsatisfied against the property, which was to be paid before the certificate was delivered up to any one, and thereby leave the title unencumbered.

This, for some reason, was not none, and since that time this mortgage has been foreclosed on this property by B. H. Hill & Son, attorneys for holders of the mortgage. On the 19th day of July, 1876, the city of Atlanta paid off, and had transferred to them, the judgment and *fi. fa.* that had been obtained on the foreclosure of said mortgage, for which they paid the sum of \$79,233.91. This *fi. fa.* and judgment is still held by the city of Atlanta with an agreement entered into between Governor James M. Smith and the city of Atlanta, that said *fi. fa.* should not be enforced against said property so long as the Capitol shall remain at the city of Atlanta,

We have made a personal examination of the books in which the bonds of the city are registered, and we are satisfied that the bonds of the city were issued as above stated. It gives us pleasure here to state what we had heretofore doubted, that in all things, as far as we can ascertain after a careful investigation, that the city authorities have not only paid all that they ever agreed to pay toward the Capitol, but that they have taken up, in addition thereto,

which they still hold, the mortgage, judgement, and *fi. fa.* previously referred to.

That the State has been greatly wronged in the purchase of the Capitol we do not doubt, but that the fault is attributable to the city authorities of Atlanta we have no reason to believe.

MINORITY REPORT.

The undersigned, being a minority of the Special Committee appointed to report upon the question of locating the Capital of the State of Georgia, beg leave to submit to the Convention the following ordinance, and recommend its adoption.

M. W. LEWIS,
S. HALL,
B. L. STEPHENS,
F. C. FURMAN.

Be it ordained by the people of Georgia in Convention assembled :

1. That the question of the location of the Capital of this State be kept out of the Constitution to be adopted by the Convention.

2. That at the first general election hereafter held for members of the General Assembly, every voter may endorse on his ballot "Atlanta" or "Milledgeville," and the one of these places receiving the largest number of votes, shall be the Capital of the State until changed by the same authority, and in the same way that may be provided for the alteration of the Constitution that may be adopted by the Convention—whether said Constitution be ratified or rejected.

The unfinished business of yesterday on the Bill of Rights, was taken up.

Mr. Wright offered the following addition :

SECTION 3. Lobbying is declared to be a crime, and the Legislature shall enact laws for its punishment.

Lobbying is defined to be the influencing, or the attempt to influence, in consideration of money, or thing, given directly, or indirectly, in either, or both branches of the General Assembly of this State, in the passage, or rejection of any act, or resolution. All such contracts are void, and also, all contracts made in this State for lobbying bills through the United States Congress.

Mr. Ingram moved to lay the amendment on the table, which motion was lost.

Mr. Hansell moved to strike out all after the word crime, which motion prevailed.

Mr. Gartrell moved to amend by adding: and the General Assembly shall enforce this provision by suitable penalties, which motion prevailed.

The original motion of Mr. Wright, as amended, was agreed to.

Mr. Wright moved that the amendment be added after section two of the Bill of Rights, which was agreed to.

Mr. Lawton offered the following addition to the seventeenth section: and shall provide by law for reaching property concealed from the creditor.

Mr. Hill moved to amend by striking out "the" and inserting: a, which was accepted by Mr. Lawton, and the motion, as amended, was adopted.

Mr. Wellborn moved to insert the word: the, before the

word "punishment," in original paragraph seventeen, which motion was lost.

Mr. Wilson moved to amend original paragraph eighteen so as to make it read as follows : neither banishment beyond the limits of the State, nor whipping as a punishment for crime, shall be allowed.

The motion prevailed.

Mr. Hand moved to amend the eighteenth paragraph of the original, as follows : Insert the word : neither, before the word "banishment," and the words : nor death, after the word "State."

Mr. Ingram moved to lay upon the table, which motion prevailed.

Mr. Ellington moved to strike out all of the first line of the nineteenth paragraph, except the last four words, which motion prevailed.

Mr. Toombs moved to strike out all after the word "infringed," in the second line.

Upon motion of Mr. Warren, the amendment of Mr. Toombs was laid upon the table.

Mr. L. J. Winn moved to amend by adding, after the word "manner," in the third line, the words : and place.

Mr. Spence, of the Thirty-fifth District, moved to lay upon the table, which motion prevailed.

Mr. Key moved to amend paragraph nineteen by adding the following : when off their freeholds, or away from their homes.

The motion did not prevail.

Mr. Mynatt moved to amend the twentieth paragraph by striking out all after the word "evidence," in the first line.

Upon motion of Mr. Underwood, of the Thirty-first District, the motion was laid upon the table.

Mr. Render moved to amend the twentieth paragraph, line two, so as to read as follows: jury in that, and in all criminal cases, shall be judges of the facts and of the law, as given in charge by the court.

Upon motion of Mr. Toombs, the amendment was laid upon the table.

Mr. Gartrell moved to add the following to paragraph twenty:

The power of the judges to grant new trials in cases of conviction is reserved.

The motion prevailed.

Mr. Reese, of the Twenty-eighth District, moved to amend by striking out all after the word "evidence," in the first line, and inserting the following: and the jury in that, and all criminal cases, shall have the right to find a general verdict of guilty, or not guilty.

Upon motion of Mr. Underwood, of the Thirty-first District, the amendment was laid upon the table.

Mr. Hammond, of the Thirty-fifth District, moved to strike out the last clause of the twentieth paragraph, on whipping, which motion prevailed.

Mr. Guerard offered the following as an additional section:

SEC. 25. No person shall be compelled to give testimony tending in any manner to criminate himself.

Mr. Knight moved to lay the amendment on the table, which motion did not prevail.

The amendment of Mr. Guerard was put to the House, and agreed to.

Mr. Tift offered the following additional section, to follow section four, article one :

No person shall be deprived of the right to prosecute or defend his own cause in any of the courts of this State, in person, by attorney, or both.

The amendment was agreed to.

Mr. Johnson, of the Thirtieth District, moved to amend paragraph twenty by adding the following : All penalties shall be proportioned to the nature of the offense.

Upon motion of Mr. Pierce, the amendment was laid upon the table.

Mr. Matthews moved to strike out, in paragraph twenty one, the words "or any law, making any irrevocable grant of special privileges or immunities."

Upon motion of Mr. Warren, the amendment was laid upon the table.

Mr. Lawson moved to strike out the words "of special privileges or immunities," and insert : of exemption from taxation.

Upon motion of Mr. Warren, the motion of Mr. Lawson was laid upon the table.

Mr. Tift moved to amend the twenty-first paragraph by inserting, after the word "passed," in the third line, the following: Nor shall the General Assembly pass any law granting special privileges or immunities to corporations, or individuals; but they shall, by general laws, provide for all classes of corporations, and for all other cases which can be provided for by general laws, and such laws shall be subject to amendment.

Mr. Warren moved to lay the amendment upon the table, which motion did not prevail.

The amendment of Mr. Tift was lost.

Mr. Hill offered the following, as a substitute for the whole paragraph:

Ex post facto laws impairing the obligations of contracts, and retro-active laws injuriously affecting the rights of citizens, are prohibited.

Upon motion of Mr. Warren, the amendment was laid upon the table.

Mr. Key moved to amend the twenty-second paragraph by inserting the word: first, between the words "being" and "paid," in the first line.

The motion prevailed.

Mr. Fontaine offered the following as a substitute for the whole paragraph:

In cases of necessity, private ways may be granted, upon just compensation being paid by the applicant. Private property shall not be taken or damaged, save for public use, and then only on just compensation being first paid.

Upon motion of Mr. R. D. Winn, the amendment was laid upon the table.

Mr. Thompson offered the following as a substitute for the twenty-third paragraph : It shall not be in the power of the Legislature to authorize lotteries, or the sale of lottery tickets, in this State, and the prohibition shall be enforced by penal laws.

Upon motion of Mr. Greer, of the Twenty-first District, the substitute was laid upon the table.

Mr. Guerard moved, as a substitute for paragraph twenty-five, the adoption of the language of the Constitution of 1865, as follows :

No conviction shall work corruption of blood, or general forfeiture of estate.

Upon motion of Mr. Knight, the substitute was laid upon the table.

Mr. Key moved to amend paragraph twenty-six, so as to read as follows : The legislative, executive, and judicial powers shall forever remain separate and distinct, and shall be confided to a separate body of magistracy ; and no person discharging the duties of one shall, at the same time, exercise the functions of either of the others, except as herein expressly provided.

Upon motion of Mr. Pierce, the amendment was laid upon the table.

Mr. Key moved to amend the twenty-ninth paragraph, so that it will read as follows : The right of the people to appeal to the courts, peaceably to assemble for their common good, and to apply to those vested with the powers

of government for redress of grievances, by petition or remonstrance, shall never be impaired.

Upon motion of Mr. Seward, the amendment was laid upon the table.

Mr. Key offered the following paragraph, to follow the twenty-ninth paragraph of the report :

The people of the States, each State considered as a separate and independent State, in order to establish justice, insure domestic tranquility, providing for their common defense, and promoting their general welfare as a nation, formed and established the Constitution of the United States, and created the government which it composes for national purposes, clearly defining the powers to be exercised by said government, and expressly declaring in said Constitution that " the enumeration of certain rights therein should not be construed to deny or disparage others retained by the people, and that the powers not delegated to said government in said Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people ; therefore the people of this State have the sole and exclusive right of governing themselves as a free, sovereign and independent State, and to exercise and enjoy every power, jurisdiction and right appertaining thereto, which is not expressly by them delegated to the government of the United States in said Constitution."

Upon motion of Mr. Davis, the amendment was laid upon the table.

Mr. Featherston offered the following substitute for the thirtieth paragraph :

The people of this State have the inherent, sole and exclusive right of regulating their internal government, and

police thereof, whenever it may be necessary to their safety and happiness, but every such right should be exercised in pursuance of law, and consistently with the Constitution of the United States.

Mr. Edge moved to lay the substitute upon the table.

Mr. Hill called for the yeas and nays upon the motion of Mr. Edge to lay upon the table.

The call was sustained, and a vote taken, as follows :

Those voting in the affirmative were Messrs.—

Anderson,	Key,
Bachlott,	Keller,
Barrett,	Knight,
Barrow,	Lawton,
Brannen,	Lawson,
Braddy,	Lewis,
Bristow,	Lowe,
Brown,	May,
Burnett,	Matthews,
Boyd,	Mattox,
Bush,	McDonald,
Cain,	McCallum,
Casey,	McIntosh,
Camp,	McLeod,
Collier,	McRea,
Clark,	Mercier,
Chambers,	Mershon,
Coney,	Mobley,
Coats,	Mosely,
Cooper,	Mynatt,
Crane,	Nisbet,
Creech,	Newell,
Davis of the 10th,	Osborne,
Davis of the 23d,	Pace,

Dell,	Paris,
Dismuke,	Pierce,
DuBose,	Perry,
Edge,	Porter,
Ellington,	Ponder,
Fain,	Polk,
Flewellen,	Reese of the 29th,
Fields,	Rogers,
Furman,	Roberts,
Guerry,	Robertson,
Gay,	Ross,
Guerard,	Sale,
Gignilliatt,	Sapp,
Graham,	Sanders,
Gorman,	Seward,
Gibbs,	Simmons,
Grace,	Scott of the 13th,
Goff,	Scott of the 30th,
Greer of the 21st,	Stokes,
Hamilton of the 21st,	Spence of the 5th,
Harrell,	Spence of the 35th,
Hansell,	Shepherd,
Hammond of the 22d,	Swearingen,
Hammond of the 35th,	Screven,
Hall,	Smith,
Hand,	Stevens of the 6th,
Hardy,	Toombs,
Heard,	Tye,
Heath,	Thompson,
Hicks,	Tuggle,
Hollifield,	Tumlin,
Holcombe,	Tharp,
Horne,	Underwood of the 31st
Hunt,	Warren of the 1st,
Hudson of the 29th,	Warthen,
Ingram,	Westmoreland,

Jackson,
Jones,
Jenkins of the 10th,
Johnson of the 18th,
Johnson of the 19th,
Johnson of the 30th,
Johnson of the 42d,

Wells,
Whiddon,
Williams,
Wilson,
Willis,
Winn, R. D.
Winn, L. J.

Those voting in the negative were Messrs.—

Awbrey,
Bass,
Buchanan,
Carter,
Clifton,
Conley,
Day,
Denton,
Dickey,
Donaldson,
Featherston,
Fitten,
Fontaine,
Gartrell,
Garren,
Glover,
Greer of the 13th,
Hamilton of the 42d,
Hawkins,
Harris,
Head,
Hewell,
Henry,
Hill,

Howell,
Hudson of the 25th,
Little,
Logino,
McFarland,
Moore,
Phillips of the 18th,
Phillips of the 36th,
Reese of the 28th,
Render,
Rosser,
Rowe,
Sibley,
Stroud,
Stevens of the 40th,
Trammell,
Tift,
Twitty,
Underwood of the 32d,
Warren of the 23d,
Wellborn,
Wimberly,
Wright,
Wofford.

Yeas 134.

Nays 48.

Upon motion of Mr. Holcombe, the time of the session was extended until the completion of the report.

Mr. Reese, of the Twenty-eight, moved to strike out of paragraph thirtieth, and third line, the words "and form of government."

Mr. Hill moved to lay the original paragraph of the report, and the amendment to it, upon the table, which motion was lost.

Mr. Dismuke moved to lay the amendment of Mr. Reese upon the table, which motion was lost.

The amendment of Mr. Reese was then agreed to.

Mr. Matthews moved to insert the following as an additional paragraph to the report: The enumeration of rights herein contained is a part of this Constitution, but shall not be construed to deny to the people any inherent rights which they may have hitherto enjoyed, which was agreed to.

Mr. Lewis moved to adopt the report of the committee as a whole, and called the previous question, which was seconded by the House, and the report, as amended, was agreed to.

The following is the report of the Committee of Final Revision on the Bill of Rights, as amended and adopted:

PREAMBLE.

To perpetuate the principles of free government; insure justice to all; preserve peace; promote the interest and happiness of the citizen: We, the people of Georgia, relying on the protection and guidance of Almighty God, do ordain and establish this Constitution.

ARTICLE I.

1. All government of right originates with the people, is

founded on their will only, and is instituted solely for the good of the whole. Public officers are their trustees and servants, and at all times amenable to them.

2. Protection to person and property is the paramount duty of government, and shall be impartial and complete.

3. Lobbying is declared to be a crime, and the General Assembly shall enforce this provision by suitable penalties.

4. All citizens of the United States resident in this State, are hereby declared citizens of this State, and it shall be the duty of the General Assembly to enact such laws as will protect them in the full enjoyment of the rights, privileges, and immunities due to such citizenship.

5. No person shall be deprived of life, liberty, or property, except by due process of law.

6. No person shall be deprived of the right to prosecute, or defend, his own cause in any of the courts of this State, in person, by attorney, or both.

7. All men have the natural and inalienable right to worship God, each according to the dictates of his own conscience, and no human authority should, in any case, control or interfere with such right of conscience.

8. No inhabitant of this State shall be molested in person or property, or prohibited from holding any public office, or trust, on account of his religious opinions; but the right of liberty of conscience shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the State.

9. No money shall ever be taken from the public treasury, directly or indirectly, in aid of any church, sect, or denomination of religionists, or of any sectarian institution

10. Every person charged with an offense against the laws of this State shall have the privilege and benefit of counsel, shall be furnished, on demand, with a copy of the accusation, and a list of the witnesses on whose testimony the charge against him is founded ; shall have compulsory process to obtain the testimony of his own witnesses, shall be confronted with the witnesses testifying against him, and shall have a public and speedy trial by an impartial jury.

11. No person accused shall be compelled to pay costs, except after conviction on final trial.

12. No person shall be put in jeopardy of life, or liberty, more than once for the same offence, save on his, or her, own motion for a new trial after conviction, or in case of mistrial.

13. No law shall ever be passed to curtail or restrain the liberty of speech, or of the press: any person may speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

14. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated ; and no warrant shall issue but upon probable cause, supported by oath, or affirmation, particularly describing the place, or places, to be searched, and the persons or things to be seized.

15. There shall be, within the State of Georgia, neither slavery nor involuntary servitude, save as a punishment for crime, after legal conviction thereof.

16. The social status of the citizen shall never be the subject of legislation.

17. The writ of *habeas corpus* shall not be suspended.

18. The civil authority shall be superior to the military, and no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, only by the civil magistrate in such manner as may be provided by law.

19. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted; nor shall any person be abused in being arrested, while under arrest, or in prison.

20. The power of the courts to punish for contempt shall be limited by legislative acts.

21. There shall be no imprisonment for debt.

22. The General Assembly shall have the power to provide for punishment of fraud; and shall provide, by law, for reaching property concealed from a creditor.

23. Neither banishment beyond the limits of the State, nor whipping, as a punishment for crime, shall be allowed.

24. The right of the people to keep and bear arms shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne.

25. In all prosecutions, or indictments, for libel, the truth may be given in as evidence, and the jury in that, and in all criminal cases, shall be the judges of the law and the facts. The power of the judges to grant new trials in cases of conviction, is reserved.

26. No person shall be compelled to give testimony tending in any manner to criminate himself.

27. No bill of attainder, *expost facto* law, retroactive law, or any law impairing the obligations of contracts, or

any law making any irrevocable grant of special privileges, or immunities, shall be passed.

28. In cases of necessity, private ways may be granted upon just compensation being first paid by the applicant. Private property shall not be taken or damaged for public purposes, without just and adequate compensation being first paid.

29. All lotteries, and the sale of lottery tickets, are hereby prohibited; and the prohibition shall be enforced by penal laws.

30. Treason against the State of Georgia shall consist in levying war against it, adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or confession in open court.

31. No conviction shall work corruption of blood, and no conviction of treason shall work a forfeiture of estate.

32. The legislative, judicial, and executive powers shall forever remain separate and distinct, and no person discharging the duties of one shall, at the same time, exercise the functions of either of the others, except as herein provided.

33. Laws of a general nature shall have uniform operation throughout the State, and no special law shall be enacted in any case, for which provision has been made by an existing general law. No general law affecting private rights shall be varied in any particular case by special legislation, except with the free consent in writing of all persons to be affected thereby, and no person under legal disability to contract is capable of such free consent.

34. Legislative acts in violation of this Constitution, or

the Constitution of the United States, are void, and the judiciary shall so declare them.

35. The people have the right peaceably to assemble for their common good, and to apply to those vested with the powers of government for redress of grievances, by petition or remonstrance.

36. The people of this State have the inherent, sole, and exclusive right of regulating their internal government, and the police thereof, and of altering and abolishing their Constitution, whenever it may be necessary to their safety and happiness.

37. The enumeration of rights herein contained is a part of this Constitution, but shall not be construed to deny to the people any inherent rights which they may have hitherto enjoyed.

The hour of adjournment having arrived, the President declared the Convention adjourned until to-morrow morning at 9 o'clock.

ATLANTA, GEORGIA,
WEDNESDAY, July 25, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by Mr. Jenkins, the President.

Prayer was offered by the Rev. Mr. Cooper, of the Thirteenth District.

Messrs. Mershon, Brown, Key and Lawson, gave notice that they would move to reconsider portions of the Journal of yesterday.

Upon motion of Mr. Wallace, the reading of the yeas and nays, in the Journal of yesterday, was dispensed with.

Mr. Guerry moved to reconsider so much of the Journal of yesterday, as relates to the entire action of the Convention upon the report of the Committee of Final Revision on the Bill of Rights.

The motion did not prevail.

Mr. Mershon moved to reconsider so much of the Journal of yesterday, as relates to the action of the Convention upon section three of the Bill of Rights.

Mr. DuBose moved to lay the motion to reconsider on the table, which motion prevailed.

Mr. Brown moved to reconsider so much of the Journal of yesterday, as refers to the action of the Convention upon whipping and banishing, in the Bill of Rights.

Upon motion of Mr. Gartrell, the motion to reconsider was laid upon the table.

Leave of absence was granted to Messrs. Roberts, Fields and Smith.

Mr. Lawson moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on the twenty-seventh section of the Bill of Rights.

The motion to reconsider prevailed.

Mr. Toombs called for the yeas and nays upon the motion to reconsider.

The call was sustained, and a vote taken, which resulted as follows :

Those voting in the affirmative were Messrs :

Awbrey,	Lewis,
Barrow.	Low,
Braddy.	Logino,
Bass,	May,
Brown,	Matthews,
Buchanan,	Mattox,
Burnett.	McCallum,
Cain,	McFarland,
Camp,	Mershon,
Carter,	Moore,
Chancy,	Mynatt,
Conley,	Nisbet,
Crane,	Pace,
Creech,	Paris,
Davis of the 10th,	Perry,
Davis of the 23d,	Phillips of the 36th,
Denton.	Porter,
Fain,	Reese of the 28th,

Featherston,
 Flewellen,
 Fields,
 Fitten,
 Fontaine,
 Glover,
 Guerard,
 Gignilliat.
 Gibbs,
 Goff,
 Hamilton of the 42d,
 Hawkins,
 Hansell,
 Hammond of 35th,
 Harris,
 Hardy,
 Heard,
 Hill,
 Howell,
 Hollifield,
 Horne,
 Ingram,
 Jackson,
 Johnson of the 18th,
 Johnson of the 30th
 Key,
 Keller,
 Lawson,
 Little,

Render,
 Rosser,
 Ross,
 Rowe,
 Russell of the 1st,
 Sale,
 Sapp,
 Sanders,
 Simmons,
 Sibley,
 Scott of the 30th,
 Shepherd,
 Swearingen,
 Screven,
 Stephens of the 40th,
 Trammell,
 Tift,
 Twitty,
 Thompson,
 Tumlin,
 Tharpe,
 Warren of the 23d,
 Wallace,
 Warthen,
 Wellborn,
 Wimberly,
 Williams,
 Winn, L. J.,
 MR. PRESIDENT.

Those voting in the negative were Messrs.

Anderson,
 Bachlott.
 Barrett,
 Brannen,
 Bristow,
 Boyd,

Bush,
 Casey,
 Collier,
 Clifton,
 Clark.
 Chambers,

Coney,
Coats,
Cooper,
Day,
Dell,
Dickey,
Dismuke,
Donaldson,
DuBose,
Edge,
Furman,
Furlow,
Gartrell,
Guerry,
Garren,
Gay,
Graham,
Gorman,
Grace,
Greer of the 13th,
Greer of the 21st,
Hamilton of the 41st,
Harrell,
Hammond of the 21st,
Hall,
Hand,
Head,
Hewell,
Henry,
Heath,
Hicks,
Holcombe,
Hunt,
Hudson of the 25th,
Hudson of the 29th,

Knight,
McDonald,
McIntosh,
McLeod,
McRae,
Mercier,
Mobley,
Moseley,
Newell,
Osborne,
Pierce,
Phillips of the 18th,
Ponder,
Polk,
Reese of the 29th,
Rodgers,
Robertson,
Russell of the 8th,
Seward,
Scott of the 13th.
Stokes,
Spence of the 5th,
Spence of the 35th,
Stroud,
Stevens of the 6th,
Toombs,
Tye,
Tuggle,
Underwood of the 31st
Underwood of the 32d
Warren of the 2st,
Westmoreland,
Wells,
Whiddon,
Wilson,

Jones,
Jenkins of the 10th,
Johnson of the 19th,
Johnson of the 42nd,

Willis,
Wright,
Winn, R. D.,
Wofford.

Yeas, 94.

Nays, 90.

Mr. Key moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on the twenty-ninth paragraph of the Bill of Rights.

Mr. Grace moved to lay the motion to reconsider on the table, which motion prevailed.

Mr. Key called for the yeas and nays upon the motion, but the call was not seconded by the Convention.

Upon motion of Mr. Lawson, the section of the Bill of Rights which had been reconsidered, was laid upon the table for the present.

Mr. Harrell, chairman of the Committee on the Reduction of Judicial Circuits, submitted their report, which he moved to lay upon the table, without reading, and that three hundred copies be printed for the Convention, which motion prevailed.

The following is the report of the Committee on Judicial Circuits.

Mr. Harrell, chairman of the Committee on the Judicial Circuits, makes the following report :

Mr. President :

The committee to which was referred the resolution, " to enquire into the number of the sessions of the Superior Courts of this State, the time necessary for said sessions,

and the expediency and practicability of reducing the number of Judicial Circuits," beg leave to submit the following report :

That, by the laws now in force, two sessions of the Superior Courts are required to be held annually in each county, which, in the one hundred and thirty-seven counties of the State, aggregate two hundred and seventy-four sessions. The time allotted to, and requisite for, the holding of the sessions varies in the different counties from two to thirty-six weeks, and, in the whole number, aggregates about five hundred weeks, and is divided between the twenty Judicial Circuits as follows :

Albany Circuit—Twenty-two weeks.
Atlanta Circuit—Thirty-four weeks.
Augusta Circuit—Twenty-eight weeks.
Blue Ridge Circuit—Twenty-six weeks.
Brunswick Circuit—Twenty-four weeks.
Chattahoochee Circuit—Twenty-eight weeks.
Cherokee Circuit—Twenty-four weeks.
Coweta Circuit—Thirty weeks.
Eastern Circuit—Thirty-eight weeks.
Flint Circuit—Twenty-six weeks.
Macon Circuit—Twenty-four weeks.
Middle Circuit—Sixteen weeks.
Northern Circuit—Twenty-eight weeks.
Ocmulgee Circuit—Twenty-two weeks.
• Oconee Circuit—Twenty-two weeks.
Pataula Circuit—Sixteen weeks.
Rome Circuit—Twenty weeks.
Southern Circuit—Twenty-two weeks.
Southwestern Circuit—Seventeen weeks.
Western Circuit—Thirty-two weeks.
The average time being twenty-four weeks.

The inequality of time allotted to the different circuits,

and, consequently, therefore, the labor required of the respective judges is not clearly apparent, but remarkable, and cannot be accounted for, or justified, by any considerations solely affecting the public interests, varying from sixteen to thirty-eight weeks.

A few years previous to the year eighteen hundred and sixty, when the taxable property of the State was about six hundred and seventy-two millions of dollars, and the courts crowded with heavy litigation, there were only sixteen circuits, and the dockets were kept up, at least, as well as at the present time with twenty circuits, and only about two hundred and forty millions of dollars' worth of taxable property.

It is true that the emancipation of slaves created an element of litigation not existing at that time, but, we respectfully submit, not to an extent beyond the decrease of the business of the courts caused by the loss of four hundred and twenty-five millions of dollars' worth of property by the citizens of the State.

Under this statement of fact your committee are impelled, by a sense of public duty, to recommend a reduction of the number of Judicial Circuits, and, at least, an approximate equalization of the labors of the Judges. There is no just reason why the Judges in some of the circuits are required annually to perform the active duties of the court room, and devote to their other duties more than double the time required of others engaged in similar labors.

In regard to the extent of the reduction, and the manner in which it can be best accomplished, your committee has been somewhat embarrassed. It is much more difficult to diminish the number than increase offices, and experience has abundantly demonstrated, that once created

and recognized by the government, it is almost an impossibility to abolish them, even though it be apparent that they are not only useless but expensive.

The only just rule upon which offices should be created or regulated is the exigencies of the public service, and the reasonable amount of time and labor, both mental and physical, demanded of the incumbent, and whenever the exigency of their creation ceases, they should be promptly discontinued.

Your committee has applied that rule to the consideration of the matters referred to them, and respectfully submit the data upon which their recommendations are founded.

As before stated, the average time of holding the courts of the State, in the twenty circuits, as they now stand, is about twenty-four or five weeks. If the circuits were equalized upon the basis of the shortest service, it would require about thirty circuits—if upon the longest service, about ten only would be sufficient. Four of the present circuits have an average of thirty-four weeks—the four next highest have an average of twenty-seven weeks. These eight are the only circuits the time of which exceeds the general average of twenty-five weeks, and the average of the eight is about thirty-one and a half weeks.

Now, while it may not be judicious to bring all of the Circuits to the time now required of the highest, we are of the opinion that it would be neither improper nor unreasonable to place them upon an average of the eight highest, viz: thirty-one and a half weeks. By doing this, and allowing four weeks in each Circuit for business “in chambers,” motions for new trials and injunctions, etc., it would still leave the Judges about four and a half months of their time for study, recreation, and attention to their private affairs.

This we deem amply sufficient, and, therefore, recommend that the number of Circuits be reduced to sixteen.

This, estimating the salaries of the Judges and Solicitors General at their present standard, would cause a reduction of expenses in the Judicial Department of eleven thousand dollars annually. This would leave the expenses of the Judicial Department, for the salaries of Judges and Solicitors General, forty-four thousand, against fifty-five thousand, as they now stand; and even this amount, contrasted with the thirty-two thousand four hundred dollars expended on that Department previous to the late war, appears very large, and when it is remembered that these salaries are paid on a specie basis, and now amount to about fifty-seven thousand dollars in currency, the difference is still greater.

As this reduction would cause important changes in most of the circuits, your committee recommend a complete re-districting of the whole State, and the organization of the circuits solely with reference to the public interest, taking into consideration the contiguity of counties, the time required to transact the business therein, and its convenience of access. And to this end, present with their report, an ordinance accomplishing this purpose, and respectfully ask its adoption by the Convention.

D. B. HARRELL, *Chairman*,
W. J. HUDSON, 25th District,
N. J. TUMLIN,
E. C. GREER,
H. N. HOLLIFIELD.

An Ordinance to Divide the State into Sixteen Judicial Circuits.

Be it ordained by the people of Georgia, in Convention assembled, That the State shall be divided into sixteen

Judicial Circuits, numbered from one to sixteen, as follows :

SECTION 1. The First Circuit shall be composed of the counties of Bryan, Bulloch, Chatham, Effingham and Liberty.

The Second Circuit of the counties of Appling, Camden, Charlton, Coffee, Clinch, Glynn, McIntosh, Ware, Wayne, Telfair and Montgomery.

The Third Circuit of the counties of Baker, Berrien, Brooks, Colquitt, Decatur, Echols, Irwin, Lowndes, Miller, Mitchell, Thomas and Worth.

The Fourth Circuit of the counties of Calhoun, Clay, Dougherty, Early, Lee, Quitman, Randolph, Stewart and Terrell.

The Fifth Circuit of the counties of Chattahoochee, Dooly, Houston, Macon, Marion, Schley, Sumter, Taylor, Webster and Wilcox.

The Sixth Circuit shall be composed of the counties of Harris, Meriwether, Muscogee, Talbot and Troup.

The Seventh Circuit shall be composed of the counties of Bibb, Crawford, Jones, Monroe, Pike, Twiggs and Upson.

The Eighth Circuit shall be composed of the counties of Baldwin, Dodge, Emanuel, Johnson, Laurens, Jefferson, Pulaski, Tatnall, Washington and Wilkinson.

The Ninth Circuit shall be composed of the counties of Burke, Columbia, McDuffie, Richmond and Screven.

The Tenth Circuit shall be composed of the counties of Glasscock, Greene, Hancock, Lincoln, Morgan, Oglethorpe, Putnam, Taliaferro, Warren and Wilkes.

The Eleventh Circuit shall be composed of the counties of Butts, Clayton, Fayette, Jasper, Henry, Newton, Rockdale, Spalding, Walton and Upson.

The Twelfth Circuit of the counties of DeKalb, Fulton and Milton.

The Thirteenth Circuit shall be composed of the counties of Carroll, Coweta, Cobb, Forsyth, Haralson, Heard, Paulding, Douglas and Campbell.

The Fourteenth Circuit shall be composed of the counties of Banks, Clarke, Elbert, Franklin, Gwinnett, Habersham, Hall, Hart, Jackson, Madison and Oconee.

The Fifteenth Circuit shall be composed of the counties of Bartow, Cherokee, Dawson, Fannin, Gilmer, Lumpkin, Pickens, Rabun, Towns, Union and White.

The Sixteenth Circuit shall be composed of the counties of Catoosa, Chatooga, Dade, Floyd, Gordon, Murray, Polk, Walker and Whitfield.

SEC. 2. At the expiration of the terms of the several Judges and Solicitors General of the circuits, as at present organized, under the Constitution prescribed by this Convention, there shall be a Judge and a Solicitor General appointed in each of said districts, in the mode prescribed in the Constitution.

SEC. 3. The Legislature may, at any time hereafter, increase the number of circuits as often as the business of the courts collectively increases, so as to require thirty-two weeks active labor of the Judges, in holding the regular courts in each year over the time now necessary, keeping in view an equitable distribution of the labors of the several Judges upon a basis of thirty-two weeks annually.

Mr. Edge submitted a minority report of the same committee, which, upon motion of Mr. Harrell, was given the same direction as the majority report.

The minority report is as follows :

We, the undersigned, a minority of the Committee on a Reduction of the Judicial Circuits of the State, beg leave to submit the following report :

While we yield to none in our desire to curtail the expenses of government as far as is consistent with a proper administration of the same, and thereby lessen the burden of taxation, we do not think sound economy demands a reduction at this time in the number of Judicial Circuits of this State. It is certainly one of the highest duties of the government so to organize and arrange its judiciary system as to insure a speedy adjudication of the rights of its citizens, and a prompt administration of the laws of the State. The judiciary of the State is defectively organized when it does not secure these ends. The administration of justice in every part of the State is now much retarded because of the large amount of business on the dockets of the courts. The Judges of the different circuits in the State are required by law to hold court an average of twenty-six weeks, or six and a half months of each year, which, we think, when added to the adjourned terms they are compelled to hold in order to keep up with the business of the courts, and the large amount of business they necessarily dispose of at chambers, is quite as much as is consistent with an intelligent administration of the law.

The ever varying condition of our people brings much more business into our courts at one time than at another, and for this reason we think it unwise that the number of Judicial Circuits should be regulated by the organic law of

our State. It should be left to be regulated by the General Assembly of the State, as exigencies demand.

If retrenchment must be had in this department of the government, we think it far more expedient that the salaries of the Judges should be reduced, than that the number of Judges should be reduced, and the wheels of justice thus retarded.

We, therefore, recommend that this matter be left where it now is—in the hands of the General Assembly—to be regulated in such manner as the business of the courts, from time to time, may demand.

All of which is most respectfully submitted.

J. A. HUNT,
M. L. MERSHON,
R. D. WYNN,
J. B. TWITTY.

Mr. Toombs moved to take up the report of the Committee on the Executive Department, which motion prevailed, and the report was taken up.

Mr. Hill moved to amend the first paragraph by striking out the words “and two counsellors of State.”

Mr. Ingram moved as a substitute to the amendment of Mr. Hill, to strike out the word “and,” after “Comptroller General,” and insert: and Attorney General, after the word “Treasurer.”

Upon motion of Mr. Holbombe, the amendment and the substitute, were laid upon the table.

Mr. Dismuke moved to amend as follows: to insert the words: Lieutenant Governor, after the word “Governor.”

Upon motion of Mr. Tumlin, the amendment was laid upon the table.

The first paragraph of the report was agreed to.

Mr. Osborn moved to amend the second paragraph by striking out the word "competent," in the third line, and the words "established by law," in the fourth line, so as to read: he shall have a salary of three thousand dollars in currency, and no more.

Mr. Holcombe moved to add to the sixth line, after the words, "established by law," the words: not to exceed twenty-five hundred dollars per annum.

Mr. Greer moved that the amendment and the substitute be laid upon the table, which motion prevailed.

Mr. Holcombe called for the yeas and nays. The call was sustained, and a vote taken with the following result :

Those voting in the affirmative were, Messrs.

Anderson,	Keller,
Awbrey,	Lawton,
Bachlott,	Lawson,
Barrow,	Lewis,
Buchanan,	May,
Cain,	Mathews,
Casey,	Mattox,
Carter,	Mercier,
Clark,	Mershon,
Chambers,	Moore,
Conley,	Mynatt,
Coats,	Nisbet,
Crane,	Newell,
Creech,	Pace,

Davis of the 10th,	Pierce,
Davis of the 23d,	Perry,
Dismuke,	Porter,
Donaldson,	Reese of the 28th,
DuBose,	Reese of the 29th,
Fain,	Rosser,
Flewellen,	Robertson,
Fitten,	Ross,
Fontaine,	Rowe,
Furman,	Russell of the 1st,
Guerry,	Russell of the 8th,
Glover,	Sapp,
Guerard,	Sanders,
Gignilliat,	Simmons,
Grace,	Sibley.
Greer of the 21st,	Stokes.
Hamilton of the 21st,	Spence of the 35th,
Hamilton of the 42nd,	Stroud,
Hammond of the 22d,	Swearingen,
Hammond of the 35th	Screven,
Harris,	Toombs,
Hall,	Trammell,
Heard,	Tye,
Heath,	Twitty,
Hill,	Thompson,
Hollifield,	Tuggle,
Hunt,	Tumlin,
Hudson of the 29th,	Warren of the 1st,
Ingram,	Warren of the 23d,
Jackson,	Wallace,
Jones,	Warthen,
Jenkins of the 10th,	Westmoreland,
Johnson of the 18th,	Wimberly,
Johnson of the 19th,	Winn, L. J.
Johnson of the 30th,	

Those voting in the negative were, Messrs.

Barrett,	Key,
Brannen,	Knight,
Braddy,	Little,
Bass,	Lowe,
Brown,	Logino,
Burnett,	McDonald,
Boyd,	McCallum,
Bush,	McIntosh,
Camp,	McFarland,
Collier,	McLeod,
Clifton,	McRae,
Chancy,	Mobley,
Coney,	Mosely,
Cooper,	Osborne,
Day,	Paris,
Dell,	Phillips of the 18th,
Denton,	Phillips of the 36th,
Dickey,	Ponder,
Edge,	Polk,
Featherston,	Render,
Fields,	Rogers,
Furlow,	Sale,
Gartrell,	Seward,
Garren,	Scott of the 13th,
Gay,	Scott of the 30th,
Graham,	Spence of the 5th,
Gorman,	Shepherd,
Gibbs,	Stevens of the 6th,
Goff,	Stevens of the 40th,
Greer of the 13th,	Tift,
Harrell,	Tharpe,
Hawkins,	Underwood of the 31st
Hand,	Underwood of the 32d
Hardy,	Wellborn,

Head,
Hewell,
Henry,
Hicks,
Howell,
Holcombe,
Hudson of the 25th,
Johnson of the 42d,

Wells,
Whiddon,
Williams,
Wilson,
Willis,
Wright,
Winn, R. D.,
Wofford.

Yeas, 97.

Nays, 85.

So the motion prevailed.

Mr. Bass moved to amend the second paragraph, fifth and sixth lines, as follows: strike out the words "competent salary established by law," and insert the words: salary of three thousand dollars per annum, until otherwise provided by law, passed by a two thirds vote by the yeas and nays of each House of the General Assembly.

Mr. Harrell moved, as a substitute to the amendment of Mr. Bass, the following: by inserting, in the sixth line, after the word "law," the words: which shall not exceed the sum of three thousand dollars per annum, on a specie basis, and.

The hour of adjournment having arrived, the President announced the Convention adjourned until to-morrow morning at 9 o'clock.

ATLANTA, GEORGIA,
THURSDAY, July 26th, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by Mr. Jenkins, the President.

Prayer was offered by Rev. Mr. Edge, of the Twenty-first District.

Upon motion, the reading of the reports of the Committee on Judicial Circuits was dispensed with.

Mr. Ingram moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on his amendment to the report on the Executive Department.

Mr. Ingram moved to suspend the order of the day for the purpose of taking up the following resolution :

Resolved, That the Convention will hereafter hold two sessions each day, until otherwise ordered ; and when this session adjourns it shall be until four o'clock P. M. this day.

The motion to suspend did not prevail.

Mr. Gartrell moved to suspend the order of the day for the purpose of taking up a resolution.

The motion prevailed, and the following resolution was taken up and agreed to :

Resolved, That the Treasurer of the State be authorized to make a further advance of twenty-five dollars each to the delegates of this Convention, in part of their per diem and mileage.

Leave of absence was granted to Mr. Abda Johnson and Mr. Sapp.

Mr. Underwood moved to suspend the regular order of the day for the purpose of taking up a resolution.

The motion prevailed, and the resolution was taken up and agreed to as follows, to-wit :

Resolved, That the Treasurer be authorized to advance the Secretary two hundred dollars on his account.

Mr. Mosely, chairman of the committee to examine relative to the clerical force in sundry offices, submitted the following report, which, under the rules, was laid upon the table, to-wit :

The Committee appointed to examine relative to the clerical force in sundry offices around the State House, respectfully makes the following report :

They have examined the following offices, viz: The Executive, Comptroller General, Treasurer, Secretary of State, Attorney General and Principal Keeper of the Penitentiary.

In the two latter offices they find no clerks. In the Executive office they find six secretaries and clerks, whose aggregate salary amounts to \$10,600 (ten thousand six hundred dollars) per annum.

To the Comptroller General's office has been added, by the Legislature, the Bureau of Insurance, and the Wild Land office. In these combined offices there are three clerks, at an aggregate salary of \$4,800 (forty-eight hundred dollars) per annum.

In the Treasurer's office we find but one clerk, whose salary is \$1,600 (sixteen hundred dollars) per annum.

It is proper to remark that the secretaries and clerks in the various offices are such as are authorized by law ; and this Committee feel that it is simply their duty to report the facts to this Convention, without recommendation.

S. H. MOSELEY, *Chairman.*

The President announced that he had received memorials from parties in New York in regard to claims against the State of Georgia.

Upon motion of Mr. Robertson, the memorials were referred to the Committee of Final Revision, without reading.

The unfinished business of yesterday was resumed.

There being no objection, Mr. Harrell withdrew the words "on a specie basis" from the amendment offered by him to the report on the Executive Department, on yesterday.

Mr. Robertson called the previous question.

The Convention did not sustain the call.

Mr. Greer, of the Twenty-first, moved to lay the amendments upon the table.

Mr. Bass called for the yeas and nays upon the motion of Mr. Greer.

The call was sustained, and a vote taken, with the following result :

Those voting in the affirmative were Messrs.—

**Barrett,
Barrow,**

**Johnson of the 30th,
Keller,**

Bristow,	Lawton,
Buchanan,	Lawson,
Burnett,	Lewis,
Cain,	May,
Casey,	Mershon,
Carter,	Moore,
Chancy,	Mynatt,
Crane,	Nisbet,
Dismuke,	Newell,
DuBose,	Pace,
Ellington,	Pierce,
Fain,	Phillips of the 18th,
Fontaine,	Reese of the 28th,
Furman,	Ross,
Guerry,	Russell of the 1st,
Glover,	Sanders,
Guerard,	Simmons,
Gignilliatt,	Sibley,
Greer of the 21st,	Screven,
Hamilton of the 21st,	Smith,
Hammond of the 22d,	Stevens of the 6th,
Hammond of the 35th	Trammell,
Heard,	Thompson,
Heath,	Tuggle,
Hill,	Wallace,
Hollifield,	Warthen,
Hunt,	Westmoreland,
Hudson of the 29th,	Whiddon,
Ingram,	Wimberly,
Jones,	Winn, L. J.
Johnson of the 18th,	

Those voting in the negative were Messrs,—

Anderson,	Lowe,
Awbrey,	Logino,
Bachlott,	Matthews,
Brannen,	Mattox,
Braddy,	McDonald,

Bass,
 Brown,
 Boyd,
 Bush,
 Camp,
 Collier,
 Clifton,
 Clark,
 Chambers,
 Conley,
 Coney,
 Coats,
 Cooper,
 Creech,
 Davis of the 10th,
 Davis of the 23d,
 Day,
 Dell,
 Denton,
 Dickey,
 Donaldson,
 Edge,
 Featherston,
 Flewellen,
 Fitten,
 Furlow,
 Gartrell,
 Garren,
 Gay,
 Graham,
 Gorman,
 Gibbs,
 Grace,
 Goff,
 Greer of the 13th.
 Hamilton of the 42d,
 Harrell,
 Hawkins,
 Harris,

McCallum,
 McIntosh,
 McFarland,
 McLeod,
 McRea,
 Mercier,
 Mobley,
 Mosely,
 Osborne,
 Paris,
 Perry,
 Phillips of the 36th,
 Porter,
 Ponder,
 Polk,
 Reese af the 29th,
 Render,
 Respass,
 Rosser,
 Rogers,
 Roberts,
 Robertson,
 Rowe,
 Russell of the 8th,
 Sale,
 Sapp.
 Seward,
 Scott of the 13th,
 Scott of the 30th,
 Stokes,
 Spence of the 5th,
 Spence of the 35th
 Stroud,
 Shepherd,
 Swanson,
 Swearingen,
 Stevens of the 40th,
 Toombs,
 Tift,

Hall,
Hand,
Hardy,
Head,
Hewell,
Henry,
Hicks,
Howell,
Holcombe,
Horne,
Hudson of the 25th,
Jackson,
Jenkins of the 10th,
Johnson of the 19th,
Key,
Knight,
Little,

Yeas, 65.

Nays, 121.

Tye,
Twitty,
Tumlin,
Tharpe,
Underwood of the 31st
Underwood of the 32d
Warren of the 1st.
Warren of the 23d
Welborne,
Wells,
Williams,
Wilson,
Willis,
Wright,
Winn, R. D.
Wofford.

So the motion to lay upon the table was lost.

Upon motion of Mr. Mobley, the amendment of Mr. Harrell was laid upon the table.

Mr. Warren, of the Twenty-third, moved to amend the amendment of Mr. Bass, as follows, (which was accepted by Mr. Bass) to-wit, to add in the proper place: This reduction of the Governor's salary shall not apply to the present term of the present Governor.

Mr. Holcombe asked that the amendment be divided, which was agreed to, and the question upon striking out was put to the Convention, and the motion to strike out prevailed.

The next question was upon inserting : three thousand dollars, which was agreed to.

The amendment was further divided, and the provision, “ passed by a two-thirds vote, by yeas and nays, of both Houses of the General Assembly,” was taken up.

Mr. Harrell called for the yeas and nays.

The called was sustained, and a vote taken, with the following result : yeas, 125 ; nays, 62.

So this division of the amendment was agreed to.

Those voting in the affirmative were Messrs.—

Anderson,	Keller,
Awbrey,	Lawton,
Barrow,	Lawson,
Brannen,	Little,
Braddy,	Lowe,
Bass,	Logino,
Bristow,	May,
Buchanan,	Matthews,
Cain,	Mattox,
Casey,	McFarland,
Camp,	Mercier,
Carter,	Mershon,
Collier,	Mobley,
Chambers,	Moore,
Chancy,	Mynatt,
Conley,	Nisbet,
Coney,	Newell,
Coats,	Pace,
Cooper,	Pierce,
Crane,	Perry,
Creech,	Phillips of the 18th,
Davis of the 10th,	Porter,
Dell,	Ponder,
Dickey,	Reese of the 28th,
Dismuke,	Reese of the 29th,
DuBose,	Render,

Ellington,
Fain,
Featherston,
Flewellen,
Fitten,
Furman,
Furlow,
Guerry,
Gay,
Guerard,
Gignilliatt,
Gorman,
Goff,
Greer of the 13th,
Greer of the 21st,
Hamilton of the 21st,
Hamilton of the 42d,
Hawkins,
Hammond of the 22d,
Hammond of the 35th,
Harris,
Hand,
Hardy,
Heard,
Heath,
Hicks,
Hill,
Howell,
Hollifield,
Hunt,
Hudson of the 25th,
Ingram,
Jones,
Johnson of the 18th,
Johnson of the 19th,
Johnson of the 30th,
Key,

Respass,
Rosser,
Robertson,
Ross,
Rowe,
Russell of the 1st,
Sale,
Sapp,
Seward,
Simmons,
Sibley,
Scott of the 13th,
Stokes,
Spence of the 35th,
Shepherd,
Swanson,
Swearingen,
Screven,
Smith,
Stevens of the 6th,
Toombs,
Tye,
Thompson,
Tuggle,
Warren of the 1st,
Warren of the 23d,
Wallace,
Warthen,
Westmoreland,
Wells,
Whiddon,
Wimberly,
Wilson,
Willis,
Winn, R. D.
Winn, L. J.

Those voting in the negative were Messrs.—

Bachlott,	Lewis,
Barrett,	McDonald,
Brown,	McCallum,
Burnett,	McIntosh,
Boyd,	McLeod,
Bush,	McRea,
Clifton,	Mosely,
Clark,	Osborne,
Davis of the 23d,	Paris,
Day,	Phillips of the 36th,
Denton,	Polk,
Donaldson,	Rogers,
Edge,	Roberts,
Fontaine,	Russell of the 8th,
Gartrell,	Sanders,
Garren,	Scott of the 30th,
Glover,	Spence of the 5th,
Graham,	Stroud,
Gibbs,	Stevens of the 40th,
Grace,	Trammell,
Harrell,	Tift,
Hall,	Twitty,
Head,	Tumlin,
Hewell,	Tharpe,
Henry,	Underwood of the 31st
Holcombe,	Underwood of the 32d
Horne,	Wellborn,
Hudson of the 29th,	Williams,
Jackson,	Wright,
Jenkins of the 10th,	Wofford.
Knight,	

Yeas 125.

Nays 62.

The last portion of the amendment, to-wit : This reduction of the Governor's salary shall not apply to the present

term of the present Governor, was then taken up and agreed to.

Mr. Ingram moved to amend further, as follows: To strike out all after the word "years," in the fifth line, down to the ninth line, and insert, in lieu thereof, the following, to-wit: The Governor shall have a competent salary, to be established by law, which shall not be increased, nor diminished, during the period for which he may have been elected: *Provided*, the same shall not exceed four thousand dollars per annum, so long as an Executive mansion and furniture may be provided for his use. But the General Assembly may provide, by law, for the sale of the Executive mansion and furniture; in which event, his salary shall not exceed the sum of six thousand dollars, per annum; and he shall not receive any other compensation, salary, perquisites, or emolument, whatever, from the United States, or either of them, or from any foreign power; nor shall the General Assembly have the power to make any other appropriation for his use.

Upon motion of Mr. Holcombe, the amendment of Mr. Ingram was laid upon the table.

Mr. Tift offered the following additional amendment: *Provided*, that no increase of salary shall be paid until after the extinguishment of the public debt.

Upon motion of Mr. Bristow, the amendment was laid upon the table.

Mr. Wellborn moved to adopt, as a whole, the second paragraph, as amended, and called the previous question.

The call was sustained, and the paragraph agreed to.

Mr. Underwood, of the Thirty-first, moved to amend the

third paragraph by striking out of the third line, after the word "year 1880," and inserting: 1877.

Upon motion of Mr. Hamilton, of the Forty-second, the amendment was laid upon the table.

Mr. Mercier moved to amend by striking out "1880," and inserting: 1878.

Upon motion of Mr. Gartrell, the amendment was laid upon the table.

Mr. Hudson, of the Twenty-ninth, offered the following amendment: To insert, after the words "General Assembly," in the eleventh line, the words: Unless the General Assembly shall otherwise provide, which it is hereby empowered to do.

Mr. Hammond, of the Thirty-fifth, offered the following substitute to the amendment of Mr. Hudson, by inserting after the word "thereafter," in tenth line, the words: on said day, until another date be fixed by the General Assembly.

The substitute was accepted by Mr. Hudson.

Mr. Underwood moved to lay the amendment upon the table, which motion did not prevail.

The amendment of Mr. Hammond was then put and agreed to.

Mr. Guerard moved to amend by adding after "1880," in the tenth line, the words: and succeeding elections,

The motion did not prevail.

Mr. Twitty moved to amend the ninth line of the para-

graph by striking out the words "first Wednesday in October," and inserting: Tuesday after the first Monday in November.

The motion did not prevail.

Mr. Little moved to amend by striking out the word "first" in the ninth line.

The motion was lost:

Mr. Holcombe moved to adopt the third paragraph, as amended, as a whole.

Mr. Wellborn called the previous question.

The call was sustained, and the paragraph, as amended, was adopted as a whole.

Mr. Ingram moved to adjourn till four o'clock, this afternoon, which did not prevail.

The hour of adjournment having arrived, the President declared the Convention adjourned till to-morrow morning at 9 o'clock.

ATLANTA, GEORGIA,
FRIDAY, July 27th, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by Mr. Jenkins, the President.

Prayer was offered by the Rev. Mr. Phillips, of the Eighteenth District.

Messrs. Holcombe, Hunt and Ingram gave notice that they would move to reconsider portions of the Journal of yesterday.

Leave of absence was granted to Messrs. Casey, Rodgers, and Hamilton of the Twenty-first.

Mr. Holcombe moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in rejecting the amendment to bring on the next election for Governor in 1878.

Mr. Trammell called for the yeas and nays.

The call was sustained, and a vote taken, which resulted as follows :

Those voting in the affirmative were Messrs.—

Barrett,
Brannen,
Braddy,
Bristow,
Brown,
Burnett,
Bryan,

Jackson,
Johnson of the 30th,
Johnson of the 42d,
Key,
Knight,
Lowe,
Logino,

Boyd,	Mattox,
Bush,	McDonald,
Camp,	McCallum,
Collier,	McIntosh,
Clifton,	McFarland,
Clark,	McLeod,
Chambers,	McRea,
Chancey,	Mercier,
Conley,	Mobley,
Coney,	Mosely,
Coats,	Moore,
Davis of the 23d,	Osborne,
Day,	Paris,
Dell,	Phillips of the 18th,
Denton,	Phillips of the 36th,
Dickey,	Ponder,
Donaldson,	Polk,
Edge,	Render,
Ellington,	Rogers,
Flewellen,	Roberts,
Fields,	Rowe,
Guerry,	Russell of the 8th,
Garren,	Sale,
Glover,	Scott of the 30th,
Gorman,	Spence of the 5th,
Gibbs,	Spence of the 35th,
Grace,	Shepherd,
Goff,	Stevens of the 40th,
Greer of the 13th,	Tye,
Hamilton of the 42d,	Twitty,
Harrell,	Tumlin,
Hawkins,	Tharpe,
Hall,	Underwood of the 31st
Hand,	Underwood of the 32d,
Head,	Wells,
Henry,	Whiddon,

Hicks,
Holcombe,
Hollifield,
Horne,
Hunt,

Williams,
Willis,
Wright,
Winn, L. J.

Those voting in the negative were Messrs.—

Anderson,
Awbrey,
Bachlott,
Barrow,
Bass,
Buchanan,
Cain,
Carter,
Cooper,
Crane,
Creech,
Davis of the 10th,
Dismuke,
DuBose,
Fain,
Featherston,
Fitten,
Fontaine,
Furman,
Furlow,
Gartrell,
Gay,
Guerard,
Gignilliatt,
Graham,
Greer of the 21st,
Hamilton of the 21st,
Hansell,
Hammond of the 22d,

Lawson,
Little,
Lewis,
May,
Matthews,
Mershon,
Mynatt,
Nisbet,
Newell,
Pace,
Pierce,
Perry,
Porter,
Reese of the 28th,
Reese of the 29th,
Respass,
Rosser,
Robertson,
Ross,
Sanders,
Seward,
Simmons,
Sibley,
Scott of the 13th,
Stokes,
Stroud,
Swanson,
Swearingen,
Screven,

Hammond of the 35th,
 Harris,
 Hardy,
 Heard,
 Hewell,
 Heath,
 Hill,
 Hudson of the 25th,
 Hudson of the 29th,
 Ingram,
 Jones,
 Jenkins of the 10th,
 Johnson of the 18th,
 Johnson of the 19th,
 Keller,
 Lawton,

Smith,
 Stevens of the 6th,
 Toombs,
 Trammell,
 Thompson,
 Tuggle,
 Warren of the 1st,
 Warren of the 23d,
 Wallace,
 Warthen,
 Wellborn,
 Westmoreland,
 Wimberly,
 Wilson,
 Winn, R. D.
 Wofford.

Yeas 95.

Nays 90.

So the motion prevailed.

Mr. Hunt moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in fixing the salary of the Governor at \$3,000 per annum.

Upon motion of Mr. Edge, the motion to reconsider was laid upon the table.

Mr. Tharpe, chairman of the Committee on the propriety of selling State railroads, submitted the following report :

The Committee to whom was referred the business of enquiry into the propriety of selling the railroads belonging to the State, recommend the adoption of the following ordinance :

Be it ordained by the people of Georgia in Convention assembled:

That the first General Assembly after the adoption of

this Constitution shall cause to be created a commission, to consist of three persons, to be known and styled, "Commission of Public Property and Public Debt," who shall hold their offices for two, four, and six years, respectively ; who may be removed from office by cause in such manner as the General Assembly shall prescribe ; who shall have no pay, except so much as is necessary to pay actual expenses while engaged in this business, and whose successors in office shall be appointed, as the term of each one expires, in such manner as the General Assembly shall determine.

Said commission, with the Governor, shall be authorized by said General Assembly to sell, after 1st day of August, 1879, the North and South, Macon and Brunswick, Memphis Branch, and Western and Atlantic Railroads, on the following conditions, to-wit :

For the Macon and Brunswick road they shall be authorized to receive not less than \$1,200,000; and for the Memphis Branch and North and South railroads such sums as they will bring in the market ; and for the Western and Atlantic \$8,000,000: *Provided*, The money so raised shall, by said commission, be immediately invested in the bonds of the State, stamped, deposited with the Treasurer, and reported to the Governor.

***And be it further ordained*, That no part of the proceeds of said sales shall be used for any other purpose than the redemption of the bonds of the State.**

B. F. THARPE, *Chairman*.

Upon motion of Mr. Warren, of the First, the report was made the special order for Wednesday next, and three hundred copies ordered to be printed for the use of the Convention.

The unfinished business of the day was resumed.

Mr. Holcombe moved to strike out " 1880 " in the third paragraph and tenth line, and insert : 1878, in lieu thereof.

Mr. Gartrell moved to lay the amendment of Mr. Holcombe upon the table.

Mr. Hudson called the yeas and nays.

The call was sustained, and a vote taken with the following result :

Those voting in the affirmative were Messrs :

Anderson,	Lewis,
Awbrey,	May,
Bachlott,	Matthews,
Barrow,	Mershon,
Braddy,	Mynatt,
Bass,	Nisbet,
Buchanan,	Newell,
Cain,	Pace,
Carter,	Paris,
Cooper,	Pierce,
Crane,	Perry,
Davis of the 10th,	Porter,
Dell,	Reese of the 28th,
Dismuke,	Reese of the 29th,
DuBose,	Respass,
Ellington,	Rosser,
Fain,	Robertson,
Featherston,	Ross,
Flewellen,	Sanders,
Fitten,	Seward,
Fontaine,	Simmons,
Furman,	Sibley,
Furlow,	Scott of the 13th,
Gartrell,	Scott of the 30th,

Gay,
Guerard,
Gignilliat.
Graham,
Greer of the 21st,
Hamilton of the 21st,
Hamilton of the 42d,
Hansell,
Hammond of the 22d,
Hammond of 35th,
Harris,
Heard,
Hewell,
Heath,
Hill,
Hollifield,
Hudson of the 25th,
Hudson of the 29th,
Ingram,
Jones,
Jenkins of the 10th,
Johnson of the 18th,
Johnson of the 19th,
Keller,
Lawton,
Lawson,
Little,

Stokes,
Spence of the 35th,
Stroud,
Shepherd,
Swanson,
Swearingen,
Screven,
Smith,
Stephens of the 6th,
Toombs,
Trammell,
Tift,
Tye,
Thompson,
Tuggle,
Warren of the 1st,
Warren of the 23d,
Wallace,
Warthen,
Wellborn,
Westmoreland,
Wells,
Wimberly,
Wilson,
Winn, R. D.,
Wofford.

Those voting in the negative were Messrs.

Barrett,
Brannen,
Bristow,
Brown,
Burnett,
Boyd,

Hunt,
Jackson,
Johnson of the 30th,
Johnson of the 42d,
Key,
Knight,

Bush,
Camp,
Collier,
Clifton,
Clark,
Chambers,
Chancy,
Conley,
Coney,
Coats,
Creech,
Davis of the 23d,
Day,
Denton,
Dickey,
Donaldson,
Edge,
Fields,
Guerry,
Garren,
Glover,
Gorman,
Gibbs,
Grace,
Goff,
Greer of the 13th,
Harrell,
Hawkins,
Hall,
Hand,
Hardy,
Head,
Henry,
Hicks,
Howell,

Low,
Logino,
Mattox,
McDonald,
McCallum,
McIntosh,
McFarland,
McLeqd,
McRea,
Mercier,
Mobley,
Moseley,
Moore,
Osborne,
Phillips of the 18th,
Phillips of the 36th,
Ponder,
Polk,
Render,
Roberts,
Rowe,
Russell of the 8th,
Sale,
Scott of the 30th,
Spence of the 5th,
Stephens of the 40th
Twitty,
Tumlin,
Tharpe,
Underwood of 31st,
Underwood of 32d,
Whiddon,
Williams,
Willis,
Wright,

Holcombe,
Horne,

Winn, L. J.

Yeas, 100.

Nays, 85.

So the motion to lay upon the table prevailed

Paragraph fourth of the report was agreed to.

The fifth paragraph was agreed to.

The sixth paragraph was agreed to.

The seventh paragraph was agreed to.

Mr. Ingram moved to amend the eighth paragraph, after the word "the," in the first line, the word : impeachment.

Mr. Hill moved to lay upon the table the amendment of Mr. Ingram, which motion prevailed.

The eighth paragraph was agreed to.

The ninth paragraph was agreed to.

Mr. Key offered the following substitute for the tenth paragraph of the report, as follows :

PAR. 10. The Governor shall, before he enters upon the duties of his office, take the following oath or affirmation : I do solemnly swear (or affirm, as the case may be) that I will take care that the laws shall be executed in mercy, and will faithfully discharge the duties of the office of Governor of the State of Georgia, and to the best of my ability preserve, protect and defend the Constitution thereof, and the Constitution of the United States of America.

Mr. Crane moved that the substitute be laid upon the table, which prevailed.

The tenth paragraph was agreed to.

The eleventh paragraph was agreed to.

Mr. Key moved to amend paragraph twelfth, by adding after the words, "to commute penalties," in the first line, the following words: or change the penalty of death to imprisonment for life, so that it shall read: to commute penalties, or change the penalty of death to imprisonment for life.

Mr. Grace moved to lay upon the table, which was agreed to.

Mr. Hill moved to amend by adding, after the word "treason," wherever it occurs in the twelfth paragraph, the word: murder.

Mr. Creech moved to lay the amendment of Mr. Hill upon the table, which motion prevailed.

Mr. Key moved to amend paragraph twelve, by striking out the word "faithfully," in the fifty-fifth line, and insert, after the word "executed," the words: in mercy.

Mr. Tumlin moved to lay upon the table, which motion prevailed.

The twelfth paragraph was agreed to.

Mr. Matthews moved to amend the thirteenth paragraph by striking out the word "Legislature," and inserting: General Assembly, which motion prevailed.

Mr. Hunt moved to amend the thirteenth paragraph by

striking out the word "called," in the sixtieth line, and inserting: extraordinary.

The motion did not prevail.

The thirteenth paragraph was agreed to.

The fourteenth paragraph was agreed to.

Mr. Hammond, of the Thirty-fifth District, moved that consideration of the fifteenth paragraph be postponed for the present, which motion was agreed to.

Mr. Ingram moved to suspend the regular order of business for the purpose of considering a motion, that when this body adjourns to-day it will adjourn to meet at four o'clock this afternoon.

The motion did not prevail.

The sixteenth paragraph was agreed to.

The seventeenth paragraph was agreed to.

Mr. Knight moved to amend the eighteenth paragraph by striking out "semi-annually," in the eighty-first line, and inserting: quarterly.

The motion was agreed to.

Mr. Little moved to amend the eighteenth paragraph by striking out of the eighty-fourth line the words "if existing provisions are not sufficient."

The motion was agreed to.

The eighteenth paragraph, as amended, was agreed to.

By general consent, Mr. Reese, of the Twenty-ninth

District, moved to amend the seventeenth paragraph by striking out, in the seventy-eighth line, the words "according to the rules and limitations prescribed in case of a bill."

The motion prevailed.

Mr. Hudson, of the Twenty-fifth District, offered the following substitute for paragraph nineteen, section second :

The Secretary of State, Comptroller General, and Treasurer, shall be elected by the General Assembly at the first session after the election of Governor. They shall be commissioned by the Governor, and shall hold their offices for the same term as the Governor.

Upon motion of Mr. Wilson, the substitute was laid upon the table.

Mr. Reese, of the Twenty-ninth District, moved to adjourn until to-morrow morning at nine o'clock, which motion prevailed, and the President declared the Convention adjourned until that hour.

ATLANTA, GEORGIA,
SATURDAY, July 28, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by Mr. Jenkins, the President.

Prayer was offered by the Rev. Mr. McDonald, of the Fifth District.

Upon motion of Mr. Ingram, the reading of the yeas and nays, in the Journal of yesterday, was dispensed with.

Leave of absence was granted to Messrs. Hill, Chambers and Keller.

Mr. Grace moved to suspend the regular order of business for the purpose of taking up a resolution to limit the time of speaking to ten minutes on any one subject.

The motion to suspend was lost.

Also, a resolution providing for two sessions a day after Monday next.

The motion to suspend did not prevail.

Mr. Tuggle moved to suspend the regular order of business for the purpose of taking up a resolution that the members will not accept more than their pro rata share of the \$25,000 appropriated by the Legislature.

The motion was lost.

Mr. Shepherd moved to suspend the regular order of business for the purpose of taking up a resolution to sub—

mit the Constitution to the people for ratification or rejection within sixty days after adjournment.

The motion to suspend was lost.

Mr. Polk moved to suspend the order of business for the purpose of taking up a resolution making inquiries of the Governor relative to the appointment of a physician to the penitentiary.

The motion to suspend did not prevail.

The regular order of business was resumed.

Mr. Gartrell moved to amend section second, paragraph one, by inserting after the word "Governor" the following: the provisions of this Constitution, as to the transmission of the returns of election, counting of the votes, declaring the result, deciding when there is no election, deciding when there is a contested election applicable to the election of Governor, shall apply to the election of Secretary of State, Comptroller General, and Treasurer.

The motion prevailed, and the paragraph, as amended, was agreed to.

Mr. Osborne moved to amend section two, and second paragraph, by striking out "\$2,000" and inserting: \$1,600.

Mr. R. D. Winn moved, as a substitute, to strike out "\$2,000," and insert: \$1,800.

A division of the question was asked, and the motion to strike out was put, and agreed to.

Mr. Tift moved to suspend the consideration of the section, and the amendments to it, for the present; and that

they be referred to the Committee on Finance and Taxation.

The motion was lost.

Mr. Warren, of the First, moved to lay the amendment of Mr. Osborne, and the substitute of Mr. Winn, upon the table, which prevailed.

Mr. Bass offered the following substitute for section two, paragraph two :

The salary of Secretary of State, and Comptroller General, shall be \$1,600, each, per annum ; the salary of the Treasurer shall be \$2,000, per annum, until otherwise provided by law, passed by a two-thirds vote, by yeas and nays, of both branches of the General Assembly.

Mr. Holcombe proposed the following, as a substitute for the substitute of Mr. Bass, and the whole section :

The several salaries shall be : for the Treasurer, \$2,000, and one Clerk, at a salary of \$1,500, per annum ; the Comptroller General shall receive a salary of \$3,000, and employ his own clerks, and shall have no other perquisites ; the Secretary of State shall have a salary of \$2,000, and shall employ his own clerk, and to have no other perquisites.

Mr. Pierce moved that the matter of the salaries of the Treasurer, Comptroller General, and Secretary of State, be recommitted to the special committee appointed to investigate the several Departments of the Government, with instructions to report on Tuesday morning next the amount of clerical force necessary in each Department, and the adequate salary for the heads thereof.

Mr. Robertson offered the following amendment, which

was accepted by Mr. Pierce, to-wit: And that the Committee report the names of officials, clerks, and employees in each Department, giving the amount of pay received by each, the duty performed, and time employed.

The motion, as amended, prevailed.

Upon motion, the names of Messrs. Reese, of the Twenty-ninth, Holcombe, Brown, and Tift, were added to the committee.

The third paragraph was agreed to.

Mr. Scott, of the Thirteenth, moved to amend fourth paragraph by striking out "may," in the fourteenth line, and inserting: shall, which motion prevailed.

Mr. Wright moved to amend the fourteenth line by striking out "any," and inserting: all.

The motion prevailed.

The fourth paragraph, as amended, was agreed to.

Mr. Fain moved to amend the fifth paragraph by adding: and except the fees arising to the Comptroller General from issuing tax executions.

Mr. Holcombe moved to lay upon the table, which motion prevailed.

The fifth paragraph was agreed to.

Mr. Gartrell moved to strike out all after the word "law," in third line of the third section, and first paragraph, which motion prevailed.

The first paragraph was agreed to, as amended.

Mr. Brown offered, as a substitute to the first paragraph, section four, the following:

The Governor shall have power to appoint his own Secretaries and clerks, not to exceed two of each in number.

Mr. Mynatt moved that this paragraph be postponed and referred to the special Committee on the Departments of Government.

The motion prevailed.

Mr. Holcombe moved to lay the whole report upon the table until the committee shall have reported.

The motion prevailed.

Mr. Hammond, of the Thirty-fifth, moved to take up the report of the Committee of Final Revision on Counties and County Officers.

The motion was agreed to.

Mr. Lewis moved to take up the report of the Committee on the Capital, for the purpose of making it a special order.

The motion was lost.

The report on Counties and County Officers was taken up.

The first section was agreed to.

Mr. R. D. Winn moved to amend the second section by adding the following: except by a two-thirds vote of both branches of the General Assembly.

Upon motion of Mr. Brown, the amendment was laid upon the table.

Mr. Holcombe moved to strike out the second section.

Upon motion of Mr. DuBose, the motion was laid upon the table.

Mr. Tift moved to amend the second section by adding the following: except by a two-thirds vote of the General Assembly.

Upon motion of Mr. Bristow, the amendment was laid upon the table.

Mr. Hudson moved to adopt the second section of the report.

Mr. Greer, of the Twenty-first, moved to amend the second section by adding the following: unless the population of the proposed new county shall be at least 10,000, and that the counties, out of which it is made, shall have remaining 10,000 population.

Mr. Mercier called the previous question on the adoption of the section.

The call was sustained, and the second section agreed to.

Mr. Donaldson moved to amend section three by adding after the last word in the section the following: And, except by a two-thirds vote of the qualified voters of the respective counties to be affected thereby.

The motion was lost.

The third section was agreed to.

Mr. Howell moved to amend the fourth section as follows: Strike out the words "two-thirds," in the first line, and insert: majority, and to strike out all after the word, "purpose," in the second line.

Mr. Hand offered the following proviso to the amendment of Mr. Howell: *Provided*, That any county site that is not now located at the centre, or most suitable locality, may be removed to such central locality by a majority of the qualified voters of such county.

Mr. Edge moved to lay the amendment of Mr. Howell, and the proviso, on the table, which motion prevailed.

Mr. Bass moved to strike out all after the word "purpose," in the second line.

Upon motion of Mr. DuBose, the amendment was laid upon the table.

Mr. Hand moved to strike out the whole section.

The motion was lost.

The fourth section was agreed to.

The fifth section was agreed to.

Mr. Dismuke moved to amend the sixth section by adding: except Ordinary, who shall hold his office for four years.

Upon motion of Mr. Wilson, the amendment was laid upon the table.

Mr. Warren, of the Twenty-third, moved to amend the sixth section by adding to the second line, after the words "two years," the words: except Receivers of Tax Returns and Tax Collectors, who shall be appointed by the County Commissioners of each county, where there are County Commissioners, and in counties where there are no Commissioners, then by the Sheriff, the Clerk of the Superior Court, and the Ordinary of each county, and when so ap-

pointed, shall be commissioned by the Governor ; and that no one shall be appointed to those offices who is related by blood, or marriage, to those who appoint them.

Upon motion of Mr. Mosely, the amendment was laid upon the table.

Mr. Pierce moved to amend by adding the following words : except as otherwise provided in this Constitution.

Upon motion of Mr. Grace, the amendment was laid upon the table.

Mr. Smith moved to amend by striking out " one," in the first line, and inserting : two.

The motion prevailed.

Mr. Tift offered the following amendment :

The General Assembly shall provide competent and uniform fees, commissions, and costs, for all county officers, and they shall receive no other compensation for their services. Each State and county officer shall keep a record of fees, commissions, and costs received, to be submitted to the examination of the grand jury, at each regular term, and shall pay into the county treasury, at the end of each year, all sums collected for fees, commissions, and costs, over and above the sum of two thousand dollars.

Mr. Collier moved to further amend by adding the following : and it shall be the duty of the board of commissioners of each county to fix competent salaries for all the county officers, and that the perquisites of the county offices be paid into the county treasury.

Upon motion of Mr. Dismuke, the amendment of Mr. Collier was laid upon the table.

The amendment of Mr. Tift was agreed to.

Mr. Tift also offered the following amendment :

The General Assembly may provide, by law, that the Ordinary, or other proper officer, in the several counties, may contract with one or more responsible citizens of the county, with security, to be approved by the Comptroller General, for the performance of all the duties, subject to all the responsibilities of Tax Receiver and Tax Collector, when, in the opinion of the grand jury, such contract will promote the interests of the State and county, by better or more economical service.

Upon motion of Mr. Dismuke, the amendment was laid upon the table.

By general consent Mr. Toombs submitted a report of the Committee of Final Revision, which, under the rules, was laid upon the table without reading.

The following is the report of the Committee :

JUDICIARY.

SECTION 1. The judicial powers of this State shall be vested in a Supreme Court, Superior Courts, Courts of Ordinary, Justices of the Peace, Commissioned Notaries Public, and such other courts as have been, or may be, established by law.

SEC. 2. The Supreme Court shall consist of a Chief Justice, and two Associate Justices, but the General Assembly may provide for the appointment of two additional Associate Justices. A majority of the Court shall constitute a quorum.

2. When a majority of the Judges are disqualified from

deciding any case, by interest or otherwise, the Governor shall designate Judges of the Superior Courts to sit in their stead.

3. The Chief Justice and Associate Justices shall hold their offices for six years, and until their successors are qualified. A successor to the incumbent, whose term of office will soonest expire, shall be appointed in eighteen hundred and eighty; a successor to the incumbent whose term of office is next in duration, shall be appointed in eighteen hundred and eighty-two; and a successor to the third incumbent shall be appointed in eighteen hundred and eighty-four. But appointments to fill vacancies shall only be for the unexpired term.

4. The Supreme Court shall have no original jurisdiction, but shall be a court alone for the trial and correction of errors from the Superior Courts, and from the City Courts of Savannah and Atlanta, and such other like courts, as may be hereafter established in other cities; and shall sit at the seat of government at such times, in each year, as shall be prescribed by law, for the trial and determination of writs of error from said Superior and City Courts.

5. The Supreme Court shall dispose of every case at the first or second term after such writ of error is brought; and in case the plaintiff in error shall not be prepared at the first term, to prosecute the case, unless prevented by Providential cause, it shall be stricken from the docket, and the judgment below shall stand affirmed.

6. In any case, the court may, in its discretion, withhold its judgment until the next term after the same is argued.

7. When the judges presiding in any case are equally divided in opinion, the judgment below shall stand affirmed.

SEC. 3. There shall be a Judge of the Superior Courts for each Judicial Circuit, whose term of office shall be four years, and until his successor is qualified.

2. He may act in other circuits when authorized by law.

3. The successors to the present incumbents shall be appointed as their commissions expire: *Provided*, That none of them shall hold longer than the close of the year 1880.

SEC. 4. The Superior Courts shall have exclusive jurisdiction in cases of divorce; in criminal cases, where the offender is subjected to loss of life, or confinement in the Penitentiary; in cases respecting titles to land, and equity cases.

2. The General Assembly may confer upon the Courts of Common Law power to grant equitable relief.

3. Said Court shall have jurisdiction in all other civil cases, except as hereinafter provided.

4. They shall have appellate jurisdiction in all such cases as may be provided by law.

5. They shall have power to correct errors in inferior judicatories, by writs of certiorari, which shall only issue on the sanction of the Judge; and the said courts, and the Judges thereof, shall have power to issue writs of mandamus, prohibition, scire facias, and all other writs, that may be necessary for carrying their powers fully into effect, and shall have such other powers as are, or may be, conferred on them by law.

6. The General Assembly may provide for an appeal from one jury in the Superior and City Courts to another, and the said courts may grant new trials on legal grounds.

7. The court shall render judgment, without the verdict of a jury, in all civil cases founded on unconditional contracts in writing, where an issuable defence is not filed.

8. The Superior Courts shall sit in each county not less than twice in each year, at such times as have been, or may be, appointed by law.

SEC. 5. In any county within which there is, or hereafter may be, a City Court, the Judge of said court, and of the Superior Court, may preside in the courts of each other, in cases where the Judge of either court is disqualified to preside.

SEC. 6. The powers of a Court of ordinary and of Probate shall be vested in an Ordinary for each county, from whose decision there may be an appeal to the Superior Court, under regulations prescribed by law.

2. The Courts of Ordinary shall have such powers in relation to roads, bridges, ferries, public buildings, paupers, county officers, county funds, and county taxes, and other county matters, as may be conferred upon them by law.

3. The Ordinary shall hold his office for the term of four years, and until his successor is elected and qualified.

SEC. 7. There shall be in each district one Justice of the Peace, whose official term, except when elected to fill an unexpired term, shall be four years.

2. The Justices of the Peace shall have jurisdiction in all civil cases arising *ex contractu* when the principal sum does not exceed one hundred dollars, and shall sit monthly at fixed times and places; but in all cases there may be an appeal to a jury in said court, under such regulations as shall be prescribed by law.

3. Justices of the Peace shall be elected by the legal

voters in their respective districts, and shall be commissioned by the Governor.

4. They shall be removable on conviction for malpractice in office.

SEC. 8. Commissioned Notaries Public, not to exceed one for each militia district, may be appointed by the Judges of the Superior Courts in their respective circuits, upon recommendation of the grand juries of the several counties. They shall be commissioned by the Governor for the term of four years, and shall be *ex officio* Justices of the Peace.

SEC. 9. The jurisdiction, powers, proceedings, and practice of all courts, or officers invested with judicial powers, of the same grade or class, so far as regulated by law, and the force and effect of the process, judgment, and decree, by such courts, severally, shall be uniform. This uniformity must be established by the first General Assembly elected under this Constitution.

SEC. 10. There shall be an Attorney General of the State, whose official term, except when appointed to fill an unexpired term, shall be two years, but the present incumbent shall hold until the close of 1880.

2. It shall be the duty of the Attorney General to act as the legal adviser of the Executive Department, to represent the State in the Supreme Court in all capital felonies; and in all civil and criminal cases in any court, when required by the Governor, and to perform such other services as shall be required of him by law.

SEC. 11. There shall be a Solicitor General for each Judicial Circuit, whose official term, except when appointed to fill an unexpired term, shall be four years.

2. It shall be the duty of the Solicitor General to represent the State in all cases in the Superior Courts of his circuit, and in all cases taken up from his circuit to the Supreme Court, and to perform such other services as shall be required of him by law.

SEC. 12. The Judges of the Supreme and Superior Courts, and Attorney General and Solicitors General, shall be appointed in this wise: On a day during the session of the General Assembly, to be fixed by law, the Senate shall begin to nominate, and continue if necessary, from day to day, two qualified persons for each of said offices, to be filled before the next session of the General Assembly and report the same to the Governor, one of whom shall be commissioned by him to fill the position.

SEC. 13. The Judges of the Supreme Court shall have, out of the Treasury of the State, salaries not to exceed thirty-five hundred dollars per annum; the Judges of the Superior Courts shall have salaries not to exceed twenty-two hundred and fifty dollars per annum; the Attorney General shall have a salary not to exceed two thousand dollars per annum; and the Solicitors General shall have salaries not to exceed two hundred and fifty dollars per annum—but the Attorney General shall not have any fee or perquisite in any cases arising after the adoption of this Constitution; and the provisions of this section shall not affect the salaries of those now in office.

2. The General Assembly may, at any time, by a two-thirds vote of each branch, prescribe other and different salaries for any or all of the above offices, but no such change shall effect the officers then in commission.

SEC. 14. No person shall be Judge of the Supreme or Superior Courts, or Attorney General, unless at the time of his appointment he shall have attained the age of thirty

years, and shall have been a citizen of this State three years, and have practiced law for seven years; and no person shall be hereafter appointed Solicitor General unless, at the time of his appointment, he shall have attained to twenty-five years of age, shall have been a citizen of the State for three years, and shall have practiced law for three years next preceding his appointment.

SEC. 15. No total divorce shall be granted, except for adultery, and except on the concurrent verdicts of two juries, at different terms of the Court.

2. When a divorce is granted, the jury rendering the final verdict shall determine the rights and disabilities of the parties, subject to the revision of the Court.

SEC. 16. Diverce cases shall be tried in the county where the defendant resides, if a resident of this State.

2. Cases respecting titles to land shall be tried in the county where the land lies, except where a single tract is divided by a county line, in which case the Superior Court of either county shall have jurisdiction.

3. Equity cases shall be tried in the county where a defendant resides, against whom substantial relief is prayed.

4. Suits against joint obligors, joint promissors, co-partners, or joint trespassers, residing in different counties, may be tried in either county.

5. Suits against the maker and indorser of promissory notes, or drawer, acceptor and indorser of foreign or inland bills of exchange, or other like instruments, residing in different counties, shall be tried in the county where the maker or acceptor resides.

6. All other civil cases shall be tried in the county where

the defendant resides, and all criminal cases shall be tried in the county where the crime was committed, except cases in the Superior Courts, when the presiding Judge is satisfied that an impartial jury cannot be obtained in such county.

SEC. 17. The power to change the venue in civil and criminal cases shall be vested in the courts to be exercised in such manner as has been, or shall be, provided by law.

SEC. 18. The right of trial by jury, except where it is otherwise provided in this Constitution, shall remain inviolate.

2. The General Assembly shall provide, by law, for the selection of upright and intelligent persons to serve as jurors.

3. Jurors shall receive compensation for their services, uniform throughout the State, to be prescribed by law, not to exceed one dollar per day.

SEC. 19. The General Assembly shall have power to provide for the creation of County Commissioners in such counties as may require them, and to define their duties.

SEC. 20. All courts, not specially mentioned by name in the first section of this article, may be abolished in any county, at the discretion of the General Assembly.

Upon motion of Mr. Mynatt, the Convention adjourned until Monday morning, at ten o'clock.

ATLANTA, GA.,
MONDAY, July 30, 1877.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Prayer by Rev. Mr. Coats, of the Twenty-first District.

Mr. Donaldson moved to reconsider so much of the Journal of Saturday as related to changing of county lines, as adopted in the third section of the report on county and county officers.

The motion to reconsider was lost.

Mr. Warren, of the Twenty-third District, moved to reconsider so much of the Journal as related to the Tax Collectors, etc., in the sixth section of report of Committee on Counties and County Officers.

The motion to reconsider was lost.

Mr. Mynatt moved to reconsider the Journal in relation to the adoption of Mr. Tift's amendment to the sixth section.

The motion to reconsider prevailed.

Mr. Tift moved to reconsider so much of the Journal as related to the rejection of the motion requiring the receiving of tax returns and collecting of taxes to be let out by contract.

The motion was lost.

Leave of absence was granted to Messrs. Hansell, Russell, of the First District, Conley, Scott, of the Thirtieth, Hollifield, Lawson, and Hudson, of the Twenty-ninth District.

Mr. Simmons moved to indefinitely postpone the amendment of Mr. Tift to the sixth section, adopted on Saturday.

The motion prevailed.

Mr. Davis, of the Twenty-third, moved to add after the words "two years," in second line, sixth section, the following, to-wit: Except the office of Tax Receiver, which office shall be abolished, and the duties of the same shall be performed by the Clerk of the Superior Court, who shall give bond and security as now provided by law, and who shall receive such compensation for his services as the County Commissioners, or those having the charge of county affairs, may provide. He shall receive the tax returns at his office at the county site.

Upon motion of Mr. Dismuke, the motion was laid on the table.

Mr. Tift moved to amend the section by adding the following: Sheriffs and all other officers, whose duty it shall be to advertise property for sale under any legal process, shall not pay, or charge, more than is paid for the same space by other advertisements in the same paper, and they shall publish separately and distinctly each levy on property.

On motion, the motion was laid on the table.

Mr. Hawkins moved to add to the last line of the sixth section the following, to-wit: In such manner as may be prescribed by the General Assembly.

The motion was adopted.

Mr. Wallace moved to amend the sixth section, fourth line, by adding after the word "two years," the words: and a qualified voter.

The motion was agreed to.

Mr. Creech moved to amend the sixth section, second line, by adding : except the office of Ordinary, whose term of office shall be four years.

The motion was lost.

Mr. Spence, of the Thirty-fifth, moved to strike out all after the word "voter," in the fourth line of the sixth section.

The motion prevailed.

Mr. Tift offered, as an amendment to sixth section, the following, to-wit :

The General Assembly shall provide, by law, just compensation, in fees, for all county officers, and shall limit such compensation to reasonable and proper amounts.

Upon motion of Mr. Dismuke, the motion was laid upon the table.

The sixth section, as amended, was adopted.

Mr. Collier moved the following as a substitute for the seventh section, to-wit :

There shall be elected in each county in this State, by the qualified voters thereof, five commissioners, to be known as the Finance Board of such county, who shall have the control and management of the finances of such county. They shall be elected at the same time as the other officers are elected, and shall hold their offices for the term of two years, and until their successors are elected and qualified. They shall have power to fix the salaries of all the county officers, which shall not be increased or diminished during their term of office ; they shall provide for the payment of such officers. Such county officers shall

receive no other compensation for their services. The perquisites, costs and commissions of the officers, as are now provided for by law, shall be paid into the county treasury, and become part of the funds of such county. The salary of the Tax Receiver, and Tax Collector, each, shall be paid out of the taxes so collected for the State and for the county, each paying its pro rata share of such salaries. The first General Assembly, after the adoption of this Constitution, shall provide proper laws for carrying into effect this provision of the Constitution, and may provide for the appointment of Road Commissioners.

Mr. DuBose moved to lay the substitute upon the table, which motion prevailed.

Mr. Collier called for the yeas and nays, which call was not sustained.

Mr. Davis offered the following as a substitute for the seventh section, to-wit:

The Legislature shall provide by law for the election of three county commissioners, for each and every county in this State, whose duty it shall be to transact and have charge of all county matters, including roads and revenue, and who shall hold their office for two years, or until their successors are elected and qualified, and who shall receive, as compensation for their services, three dollars per day, for every day actually employed in such service, and who shall be exempt from road and jury duty.

Upon motion of Mr. Brown, the substitute was laid on the table.

Mr. Trammell called the previous question, which call was sustained, and the original section, as reported by the committee, was adopted.

Upon motion of Mr. Wallace, the report of the Committee on Counties and County Officers was adopted.

Mr. Reese, of the Twenty-ninth District, offered the following, which was adopted :

Resolved, That from and after this date the Convention will meet at eight and a half o'clock A. M., and adjourn at two P. M.

Upon motion of Mr. Hammond, of the Thirty-fifth District, the Convention adjourned until eight and a half o'clock to-morrow morning.

ATLANTA, GEORGIA,
TUESDAY, July 31, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by Rev. Mr. Tharpe, of the Twenty-third District.

A memorial was read, from the citizens of Hart county in regard to homestead.

Upon motion of Mr. Mynatt, the memorial was referred to the Committee of Final Revision.

The President announced the following Committee to memorialize Congress relative to the Cotton Tax :

B. F. Burnett, A. R. Lawton, T. L. Guerry, Porter

Ingram, N. J. Hammond, W. H. Ross, W. T. Wofford, W. M. Reese, Joshua Hill.

Mr. Hunt presented an ordinance on the homestead, and moved its reference to the Committee of Final Revision, which motion prevailed. •

Mr. Jenkins, of the Tenth District, also presented an ordinance on the homestead, which, on motion, was referred to the Committee of Final Revision.

Mr. McIntosh offered the following resolution; to-wit :

WHEREAS, We have assembled here for the purpose of making a fundamental law for the government of our fellow-countrymen and ourselves, and for the discharge of a great and important trust ; and, whereas, it is now to be determined whether we have honesty, integrity and ability sufficient to perform this trust ; and, whereas, it is a matter of the utmost importance that our work shall be done, and done well, and done speedily, because as the telegraph shall flash the tidings through the length and breadth of our great country, it will gladden every patriotic heart to know that liberty and justice still live in our grand old Commonwealth, and that her sons in this Convention are not here for the purpose of spending the people's money in making long and eloquent speeches, when it is not necessary, but are here for a nobler purpose, of doing all that can be done to remedy the defects in the present Constitution ; and, whereas, all parties are looking with intense anxiety to our deliberation, the enemies of the Constitution are watching with sharp and envious eyes, to see whether we shall be able to meet public expectation, and to frame a Constitution which shall be for the benefit of ourselves and our State ; and, whereas, if we leave any gaps in the manner of our proceeding here, they will place sentinels there to stab us to the heart, but if we can so

direct our action as to conform to the glorious motto of Georgia in better days, before war had ever desolated our homes, and slain our sons ; if we shall be guided by " Wisdom, Justice and Moderation," we shall have nothing to fear ; therefore, be it

Resolved, That every hour and every minute of this Convention be so utilized that we may surprise the people in the shortest possible time, with a Constitution that will be unanimously adopted and ratified.

Upon motion of Mr. Hunt, the resolution was laid upon the table.

Leave of absence was granted Mr. E. C. Greer.

Mr. Mosely, chairman of the Committee to Examine into the Departments of the Exective Office, asked further time to report, which, on motion, was granted.

Mr. Shepherd moved to take up the report on Judicial Circuits.

The motion did not prevail.

Mr. Lawton moved to take up the report of the Committee of Final Revision on the Judiciary, which motion prevailed, and the report was taken up.

Mr. Osborn moved to amend the first section by inserting, after the word " Ordinary," in the second line, the words : Inferior Court.

Mr. Reese, of the Twenty-ninth, offered the following amendment to the amendment of Mr. Osborne, to-wit : In such counties as may desire the same, and with such jurisdiction as the General Assembly may confer on the same.

The amendment of Mr. Reese was accepted by Mr. Osborn.

Mr. Willis moved to amend by striking out all after the words "Inferior Court."

The amendment was lost.

Mr. Guerry moved to lay the amendment upon the table, which was agreed to.

Mr. Tift moved to amend as follows: add, after the word "Ordinary," in the second line, the words: or Inferior Courts, as may be desired by the citizens of the several counties.

Mr. DuBose moved to lay the amendment on the table, which motion prevailed.

The first section of the report was agreed to.

Mr. Collier moved to amend by striking out all after the words "Associate Judges," in the second line, and second section.

Mr. Ingram moved to amend, by inserting after the word "Justices," in the second line, the following: *Provided*, That in case the number of Justices should be increased to five, the salaries of each one of the five shall not exceed the sum of \$2,500 per annum.

Mr. Bass moved to amend by striking out all, beginning at the word "but," in the first line, and including "Justices," in the second line.

The amendment was accepted by Mr. Collier.

Mr. Mershon called the previous question.

The call was not seconded.

Mr. Flewellen moved to amend as follows: by inserting in the second line, after the word " Assembly," the words: by a two-third's vote.

The amendment of Mr. Bass was again read, and agreed to.

Mr. Wallace called for the yeas and nays.

The call was sustained, and a vote taken, which resulted as follows:

Those voting in the affirmative were, Messrs.

Anderson,	Jenkins of the 10th,
Awbrey,	Johnson of the 19th,
Bachlott,	Johnson of the 42d,
Barrett,	Key,
Brannen,	Knight,
Braddy,	Little,
Bass,	Lowe,
Brown,	Logino,
Burnett,	Mattox,
Bryan,	McDonald,
Boyd,	McCallum,
Bush,	McIntosh,
Camp,	McFarland,
Collier,	McLeod,
Clifton,	McRae,
Clark,	Mercier,
Chambers,	Mobley,
Coney,	Mosely,
Coats,	Osborne,
Cooper,	Paris,
Crane,	Phillips of the 36th,
Creech,	Porter,
Davis of the 23d,	Ponder,



Day,	Polk,
Dell,	Render,
Denton,	Respass,
Dickey,	Rosser,
Donaldson,	Roberts,
DuBose,	Rowe,
Edge,	Russell of the 8th,
Ellington,	Sale,
Featherston,	Seward,
Field,	Sibley,
Fontaine,	Scott of the 13th,
Furlow,	Scott of the 30th,
Gartrell,	Stokes,
Guerry,	Spence of the 5th,
Garren,	Spence of the 35th,
Gay,	Shepherd,
Glover,	Swanson,
Graham,	Swearingen,
Gorman,	Stevens of the 6th,
Gibbs,	Stevens of the 40th,
Grace,	Trammell,
Goff,	Tift,
Greer of the 13th,	Tye,
Greer of the 21st,	Twitty,
Hamilton of the 21st,	Tuggle,
Hamilton of the 42nd,	Tumlin,
Harrell,	Tharpe,
Hawkins,	Underwood of the 31st
Hall,	Underwood of the 32d
Hand,	Warren of the 1st,
Hardy,	Wellborn,
Head,	Westmoreland,
Hewell,	Wells,
Henry,	Whiddon,
Heath,	Wimberly,
Hicks,	Williams,

Howell,
Hollifield,
Horne,
Hudson of the 25th,
Jackson,
Jones,

Wilson,
Willis,
Wright,
Winn, R. D.,
Wofford.

Those voting in the negative were, Messrs.

Barrow,
Bristow,
Buchanan,
Cain,
Carter,
Chancy,
Davis of the 10th,
Dismuke,
Fain,
Flewellen,
Fitten,
Furman,
Guerard,
Gignilliat,
Hammond of the 22d,
Hammond of the 35th,
Harris,
Heard,
Hunt,
Hudson of the 29th,
Ingram,
Johnson of the 18th,
Johnson of the 30th,
Keller,
Lawton,
Lawson,
May,

Mathews,
Mershon,
Moore,
Mynatt,
Nisbet,
Newell,
Pace,
Pierce,
Perry,
Phillips of the 18th,
Reese of the 28th,
Reese of the 29th,
Robertson,
Ross,
Sanders,
Sanford,
Simmons,
Stroud,
Screven,
Smith,
Toombs,
Thompson,
Warren of the 23d,
Wallace,
Warthen,
Winn, L. J.

Yeas, 129.

Nays, 53.

So the amendment was agreed to.

Mr. Mynatt moved to amend by striking out all after the word "Justices," in the second line of section two.

Mr. Osborne moved that the amendment be laid upon the table, which motion prevailed.

The first paragraph of section two, as amended, was agreed to.

Mr. Mynatt moved to amend the second paragraph, as follows: by striking out the words "a majority," in the first line, and inserting the words: one or more; and also, by inserting, between the words "courts and "to," in the second line: or a lawyer, or lawyers, qualified by law to preside in said Court; also, by inserting, after the word "otherwise," in the second line, the words: or for any reason cannot preside.

Mr. Wilson moved to lay upon the table, which motion prevailed.

The second paragraph was agreed to.

Mr. Wright offered the following as an additional section, to follow paragraph two, section two, to-wit:

No Judge of the Supreme Court, or of any other court, shall preside in any case affecting the validity, or any material interest arising out of any bond, Federal, State, corporation, or municipal, who holds in his own right, or as the representative of others, any of the class of bonds upon which the question to be decided arises.

Mr. DuBose moved to lay upon the table, which motion was lost.

Mr. Dismuke, moved to amend as follows: Nor in railroad cases, where they are owners of stock.

The amendment was lost.

Mr. Hammond, of the Thirty-fifth, offered the following, as a substitute for the additional paragraph offered by Mr. Wright, to-wit: Interest in the case at bar, or in the questions raised therein, shall disqualify the interested Judge from presiding in such case.

Mr. Hammond withdrew his substitute, and the amendment of Mr. Wright was put.

Mr. Wright called for the yeas and nays.

The call was sustained, and a vote taken, as follows:

Those voting in the affirmative were Messrs.—

Anderson,
Awbrey,
Barrett,
Barrow,
Brannen,
Bass,
Brown,
Buchanan,
Bryan,
Boyd,
Bush,
Camp,
Collier,
Clark,
Chambers,
Coney,

Jenkins of the 10th,
Johnson of the 42d,
Key,
Knight,
Little,
Lowe,
Logino,
McDonald,
McCallum,
McIntosh,
McFarland,
McLeod,
McRea,
Mercier,
Mobley,
Mosely,

Coats,
Cooper,
Creech,
Davis of the 23d,
Day,
Denton,
Dismuke,
Edge,
Ellington,
Fain,
Featherston,
Field,
Fitten,
Furlow,
Gartrell,
Gay,
Glover,
Graham,
Gorman,
Gibbs,
Grace,
Goff,
Greer of the 13th.
Hamilton of the 21st,
Hamilton of the 42d,
Harrell,
Hawkins,
Hammond of the 35th,
Harris,
Hall,
Hand,
Hardy,
Head,
Hewell,
Henry,
Hicks,
Horne,
Hudson of the 25th,

Osborne,
Pace,
Paris,
Phillips of the 36th,
Porter,
Reese of the 28th,
Respass,
Rosser,
Roberts,
Robertson,
Rowe,
Russell of the 8th,
Sale,
Scott of the 13th,
Scott of the 30th,
Spence of the 5th,
Stroud,
Shepherd,
Swanson,
Swearingen,
Stevens of the 40th,
Toombs,
Trammell,
Tift,
Tye,
Twitty,
Tuggle,
Tumlin,
Tharpe,
Underwood of the 31st
Underwood of the 32d
Warren of the 23d
Westmoreland,
Wells,
Whiddon,
Williams,
Wilson,
Wright,

Hudson of the 29th,
Jackson,

Wofford.

Those voting in the negative were Messrs,—

Bachlott,
Braddy,
Bristow,
Burnett,
Cain,
Carter,
Clifton,
Chancy,
Crane,
Davis of the 10th,
Dell,
Dickey,
Donaldson,
DuBose,
Flewellen,
Furman,
Guerry,
Garren,
Guerard,
Gignilliatt,
Hammond of the 22d,
Heard,
Heath,
Howell,
Hollifield,
Hunt,
Ingram,
Jones,
Johnson of the 18th,
Johnson of the 19th,
Johnson of the 30th,
Keller,
Lawton,

Lawson,
May,
Matthews,
Mattox,
Moore,
Mynatt,
Nisbet,
Newell,
Pierce,
Perry,
Phillips of the 18th,
Ponder,
Polk,
Reese af the 29th,
Ross,
Sanford,
Seward,
Simmons,
Sibley,
Stokes,
Spence of the 35th,
Screven,
Smith,
Stevens of the 6th,
Thompson,
Warren of the 1st,
Wallace,
Warthen,
Wimberly,
Willis,
Winn, R. D.
Winn, L. J.

Yeas, 111.

Nays, 65.

So the amendment was received.

Mr. Warren, of the First District, moved to amend section third by striking out "appointed" and inserting: elected.

Mr. Hammond, of the Twenty-second District, moved to postpone the consideration of this amendment until the twelfth section of the report is taken up, which motion prevailed.

Mr. Harrell moved to suspend the regular order of business for the purpose of receiving a report of the Committee on Rules, which was agreed to, and the report read.

Mr. Harrell, chairman of the Committee on Rules, gives notice that he will move, to-morrow, to amend the Tenth Rule, by adding the following words: The effect of the previous question, when sustained, shall be to bring the House to a vote on pending amendments, in their inverse order, to, and including, the original proposition.

Also, to amend the Ninth Rule, by adding the following words: If a motion to lie on the table is decided in the affirmative, the original motion, with all other motions—subsidiary and incidental,—connected with it, is removed from before the Convention until it is again taken up.

Mr. Toombs, chairman of the Committee of Final Revision, submitted the following report on Finance, Taxation and the Public Debt:

The Committee respectfully recommend that all provisions for taxation and public debt be grouped in one article in the Constitution:

REPORT.

SECTION 1. The powers of taxation over the whole State shall be exercised by the General Assembly for the following purposes only :

For the support of the State Government.

For educational purposes.

To pay the interest on the public debt.

To pay the principal of the public debt.

SEC. 2. All taxation shall be uniform upon the same class of subjects, and ad valorem on all property within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws.

2. The General Assembly may, by law, exempt from taxation all public property, places of religious worship, or burial, all institutions of purely public charity, all buildings erected for and used as a college, incorporated academy, or other seminary of learning, the real and personal estate of any public library, and that of any other literary association used or connected with such library, all books and philosophical apparatus, and all paintings and statuary of any company or association kept in a public hall, not held as merchandise, or for purposes of sale or gain: *Provided*, The property so exempted be not used for purposes of private or corporate profit or income.

3. No poll tax shall be levied except for educational purposes, and such tax shall not exceed one dollar annually upon each poll.

4. All laws exempting property from taxation, other than the property herein enumerated, shall be void.

5. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party.

SEC. 3. No debt shall be contracted by, or on behalf of, the State, except to supply casual deficiencies of revenue, to repel invasion, suppress insurrection, and defend the State in time of war, or to pay the existing public debt; but the debt created to supply deficiencies in revenue shall not exceed, in the aggregate, two hundred thousand dollars.

SEC. 4. All laws authorizing the borrowing of money, by, or on behalf of, the State, shall specify the purposes for which the money is to be used; and that the money so obtained shall be used for the purposes specified, and for no other.

SEC. 5. The credit of the State shall not be pledged or loaned to any individual, company, corporation, or association, and the State shall not become a joint owner or stockholder in any company, association, or corporation.

SEC. 6. The General Assembly shall not authorize any county, municipal corporation, or political division of this State, to become a stockholder in any company, corporation, or association, or to obtain or appropriate money for, or to loan its credit to, any corporation, company, association, institution, or individual, except for purely charitable purposes.

2. The General Assembly shall not have power to delegate to any county the right to levy a tax for any purpose, except for educational purposes; to build and repair the public buildings and bridges; to maintain and support prisoners; to pay jurors and expenses of courts; to support paupers, and pay debts heretofore existing.

SEC. 7. The debt hereafter incurred by any county, municipal corporation, or political division of this State, except as in this Constitution provided for, shall never exceed seven per centum upon the assessed value of all the taxable property therein, and no such county, municipality, or division, shall incur any new debt, or increase its indebtedness to an amount exceeding two per centum upon the assessed value of taxable property therein, without the assent of two-thirds of the qualified voters thereof, at an election for the purpose, to be held as may be prescribed by law ; but any city, the debt of which shall exceed seven per centum of the assessed value of the taxable property at the time of the adoption of this Constitution, may be authorized by law to increase, at any time, the amount of said debt three per centum upon such assessed valuation.

2. Any county, municipal corporation, or political division of this State, which shall incur any indebtedness under the provisions of this Constitution, shall, at or before the time of so doing, provide for the assessment and collection of an annual tax, sufficient in amount to pay the principal and interest of said debt within thirty years from the date of the incurring of said indebtedness.

SEC. 8. The State shall not assume the debt, nor any part thereof, of any county, municipal corporation, or political division of the State, unless such debt shall be contracted to enable the State to repel invasion, suppress insurrection, or defend itself in time of war.

SEC. 9. The receiving, directly or indirectly, by any officer of State, or county, or member, or officer of the General Assembly, of any interest, profits, or perquisites arising from the use, or loan, of public funds in his hands, or moneys to be raised through his agency for State or county purposes, shall be deemed a felony, and punishable

5. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party.

SEC. 3. No debt shall be contracted by, or on behalf of, the State, except to supply casual deficiencies of revenue, to repel invasion, suppress insurrection, and defend the State in time of war, or to pay the existing public debt; but the debt created to supply deficiencies in revenue shall not exceed, in the aggregate, two hundred thousand dollars.

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SEC. 6. The General Assembly shall not authorize any county, municipal corporation, or political division of this State, to become a stockholder in any company, corporation, or association, or to obtain or appropriate money for, or to loan its credit to, any corporation, company, association, institution, or individual, except for purely charitable purposes.

2. The General Assembly shall not have power to delegate to any county the right to levy a tax for any purpose, except for educational purposes; to build and repair the public buildings and bridges; to maintain and support prisoners; to pay jurors and expenses of courts; to support paupers, and pay debts heretofore existing.

SEC. 7. The debt hereafter incurred by any county, municipal corporation, or political division of this State, except as in this Constitution provided for, shall never exceed seven per centum upon the assessed value of all the taxable property therein, and no such county, municipality, or division, shall incur any new debt, or increase its indebtedness to an amount exceeding two per centum upon the assessed value of taxable property therein, without the assent of two-thirds of the qualified voters thereof, at an election for the purpose, to be held as may be prescribed by law ; but any city, the debt of which shall exceed seven per centum of the assessed value of the taxable property at the time of the adoption of this Constitution, may be authorized by law to increase, at any time, the amount of said debt three per centum upon such assessed valuation.

2. Any county, municipal corporation, or political division of this State, which shall incur any indebtedness under the provisions of this Constitution, shall, at or before the time of so doing, provide for the assessment and collection of an annual tax, sufficient in amount to pay the principal and interest of said debt within thirty years from the date of the incurring of said indebtedness.

SEC. 8. The State shall not assume the debt, nor any part thereof, of any county, municipal corporation, or political division of the State, unless such debt shall be contracted to enable the State to repel invasion, suppress insurrection, or defend itself in time of war.

SEC. 9. The receiving, directly or indirectly, by any officer of State, or county, or member, or officer of the General Assembly, of any interest, profits, or perquisites arising from the use, or loan, of public funds in his hands, or moneys to be raised through his agency for State or county purposes, shall be deemed a felony, and punishable

as may be prescribed by law, a part of which punishment shall be disqualification from holding office.

SEC. 10. Municipal corporations shall not incur any debt until provision therefor shall have been made by the municipal government.

SEC. 11. The General Assembly shall have no authority to appropriate money, either directly or indirectly, to pay the whole or any part of the principal or interest of the bonds or other obligations which have been pronounced illegal, null, and void by the Legislature, and the constitutional amendment ratified by a vote of the people on the 1st day of May, 1877; nor shall the General Assembly have authority to pay any of the obligations created by the State in the late war between the States, nor any of the bonds, notes, or obligations made and entered into during the existence of said war, the time for the payment of which was fixed after the ratification of a treaty of peace between the United States and the Confederate States; nor shall the General Assembly pass any law, or the Governor or other State official enter into any contract or agreement whereby the State shall be made a party in any court of this State, or the United States, instituted to test the validity of any such bonds or obligations.

SEC. 12. The bonded debt of the State shall never be increased, except in the cases in which the State is authorized to contract debts enumerated in the first paragraph of the third section of this article.

SEC. 13. The following described bonds of the State of Georgia are legal and valid, and their legality and validity shall never be questioned, and the principal and interest thereon shall be paid. The bonds thus described embrace all the legal valid bonds of the State, and all others are

illegal, null, and void. The legal and valid bonds are as follows :

6 per cent. currency bonds due 1878-1886, by act of February 27, 1856.....	\$ 900,000
7 per cent. currency bonds due 1886, by act of March 12, 1866.....	3,600,000
7 per cent. gold bonds due 1890, by act of Sep- tember 15, 1870.....	2,098,000
7 per cent. currency bonds due 1892, by act of January 18, 1872.....	307,500
8 per cent. currency bonds due 1878-1886, by act of February 19, 1873.....	900,000
7 per cent. currency bonds due 1896, by act of February 24, 1876.	542,000
6 per cent. currency bonds due 1889, by act of February 19, 1877.....	2,298,000
	<hr/>
	\$10,645,500

2. In addition to the above amount, the State may hereafter become liable, from endorsement, for \$464,000 of the bonds of South Georgia and Florida Railroad, said bonds to the stated amount having been legally endorsed by proper authority.

SEC. 14. The proceeds of the sale of the Western and Atlantic, Macon and Brunswick, or other railroads held by the State, and any other property owned by the State, whenever the General Assembly may authorize the sale of the whole, or any part thereof, shall be applied to the payment of the bonded debt of the State, and shall not be used for any other purpose whatever, so long as the State has any existing bonded debt.

SEC. 15. The General Assembly shall raise by taxation, each year, in addition to the sum required to pay the

public expenses, and interest on the public debt, the sum of one hundred thousand dollars, which shall be held as a sinking fund to pay off and retire the bonds of the State, which have not yet matured, and shall be applied to no other purpose whatever. If the bonds cannot, at any time, be purchased, then the sinking fund herein provided for may be loaned by the Governor and the Treasurer of the State, provided the security which shall be demanded for said loan shall consist only of the valid bonds of this State.

SEC. 16. The Comptroller General, and Treasurer, shall each make to the Governor a quarterly report of the financial condition of the State, which report shall include a statement of the assets, liabilities and income of the State, and expenditures therefor, for the three months preceding, and it shall be the duty of the Governor to carefully examine the same, by himself or through competent persons connected with his department, and cause an abstract thereof to be published for the information of the people, which abstract shall be indorsed by him as to its correctness or legality, or the contrary.

SEC. 17. The General Assembly shall not, by vote, resolution, or order, grant any donation, or gratuity, in favor of any person, corporation, or association.

2. The General Assembly shall not grant nor authorize extra compensation to any public officer, agent, or contractor, after the service has been rendered, or the contract entered into.

SEC. 18. The office of the State Printer shall cease with the expiration of the term of the present incumbent, and the General Assembly shall provide by law for letting the printing of the laws and journals, and all the printing of the Executive Department, to the lowest responsible bid-

der, or bidders, who shall give adequate and satisfactory security for the faithful performance thereof.

Upon motion of Mr. Reese, of the Twenty-ninth, the Convention adjourned until to-morrow morning at 8½ o'clock.

ATLANTA, GEORGIA,
WEDNESDAY, August 1, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by Mr. Jenkins, the President,

Prayer was offered by the Rev. Mr. Cooper, of the Thirteenth District.

Mr. McDonald, Mr. Hammond, and Mr. Brown gave notice that they would move to reconsider portions of the Journal of yesterday.

Mr. McDonald moved to reconsider so much of the Journal of yesterday as refers to the amendment proposed by Mr. Osborne, to insert the words: Inferior Court, after the word "Ordinary," in the first line, and first section, of the report on the Judiciary.

Mr. Ingram moved to lay the motion to reconsider on the table, which motion prevailed.

Mr. Brown moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention upon the proposed amendment of Mr. Mynatt on the second paragraph of the second section of the report.

The motion prevailed.

Mr. Hammond moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on the proposed additional section to the report on the Judiciary, offered by Mr. Wright.

The motion to reconsider was lost.

Mr. Harrell moved to suspend the regular order of business for the purpose of taking up the report of the Committee on Rules, proposing to change the rule on the call of the previous question.

The motion prevailed, and the report was read.

The following amendment to the tenth rule was agreed to:

The effect of the previous question shall be to bring the House to a vote on pending amendments in their inverse order, to and including the original proposition.

Leave of absence was granted Messrs. Lawton, Conley, and M. W. Lewis.

Mr. Toombs, chairman of the Committee of Final Revision, submitted the following report:

EXEMPTIONS.

SECTION. 1. There shall be exempt from levy and sale, by virtue of any process whatever, under the laws of the State, except as hereinafter excepted, of the property of every head of a family, or guardian, or trustee of a family minor children, or every aged or infirm person, or person of having the care and support of dependent females of any age, who is not the head of a family, realty or personalty, or both, not to exceed in value in the aggregate sixteen hundred dollars.

SEC. 2. No court or ministerial officer in the State shall ever have jurisdiction or authority to enforce any judgment,

execution or decree against the property set apart for such purpose, including such improvements as may be made thereon, from time to time, except for taxes, for the purchase money of the same, for labor done thereon, for material furnished therefor, or for the removal of encumbrances thereon.

SEC. 3. The debtor shall have power, with the consent of his wife, if any, to be made in writing, and attested by two witnesses, to waive or renounce his right to the benefit of the exemption provided for in this article, except as to household and kitchen furniture, wearing apparel, and provisions for one year, to be selected by himself and his wife, if any, not to exceed three hundred dollars in value; and he shall not, after it is set apart, alienate or encumber the property so exempted, but it may be sold by the debtor and his wife, if any, jointly, with the sanction of the Judge of the Superior Court of the county where the debtor resides, or the land is situated, upon application to him, the proceeds to be re invested upon the same uses.

SEC. 4. The General Assembly shall provide by law, as early as practicable, for the setting apart and valuation of said property, and there shall be no other exemption than that provided for in this article.

SEC. 5. The applicant shall, at any time, have the right to supplement his exemption by adding to an amount already set apart, which is less than the whole amount of exemption herein allowed, a sufficiency to make his exemption equal to the whole amount.

SEC. 6. Rights which have become vested under previously existing laws shall not be affected by anything herein contained.

SEC. 7. All property of the wife, in her possession at the time of her marriage, and all property given to, in-

herited or acquired by her, shall remain her separate property, and not be liable for the debts of her husband.

Under the rules, the report was laid upon the table.

The amendment proposed by Mr. Mynatt, to the second paragraph and second section of the report, was taken up.

Mr. Mynatt proposed to amend the original amendment by striking out the words "lawyer or lawyers."

The amendment was agreed to, and the original amendment, as amended, was put and agreed to.

Mr. Warren, of the First, moved to postpone consideration of the third paragraph of the third section, until the twelfth section is reached, which motion prevailed.

Mr. Gartrell moved to suspend the regular order of business for the purpose of taking up the following resolution, which was agreed to, to-wit:

Resolved, That the Hon. W. H. Felton be invited to a seat upon the floor of this Convention.

The resolution was adopted.

The fourth paragraph was agreed to.

Mr. Key moved to insert after the word "providential," in the nineteenth line of the fifth paragraph, the following: or such other cause as may be provided by law.

• The amendment was lost.

The fifth paragraph was agreed to.

The sixth paragraph was agreed to.

Mr. Scott, of the Thirteenth, moved to insert after the word "opinion," the words: it shall be the duty of the

Governor to appoint one Judge of the Superior Court to cast the deciding opinion.

Upon motion of Mr. Spence, of the Thirty-fifth, the amendment was laid upon the table.

Mr. Hunt moved to strike out the seventh paragraph. The motion prevailed.

Mr. Fontaine moved to amend the first paragraph of section third, as follows, by inserting the words: and said Judges shall be required to alternate in the different circuits of this State, in a manner to be prescribed by the General Assembly.

The amendment was lost.

Paragraph one of section three was agreed to.

Paragraph two was agreed to.

Mr. Featherston offered the following additional paragraph, to-wit:

He shall not sit in the trials of cases that he is a party to, or interested in, or has been of counsel to either party in, or is related within the fourth degree of consanguinity or affinity to either party; but the Legislature shall provide by law for the trial of all such cases.

Mr. Bristow moved to lay upon the table, which prevailed.

Mr. Underwood, of the Thirty-first, moved to amend paragraph three, as follows: By striking out the word "appointed" after the word "be," in the fourth line, and inserting the word: elected.

Also, strike out "1880," in the fifth line, and insert: 1878.

Mr. Hunt moved to postpone the consideration of this paragraph, and the amendment, until the House shall have reached the twelfth section, which motion prevailed.

Paragraph first of section four was agreed to.

Mr. Ingram moved to amend the second paragraph as follows: strike out all after the words "common law," in first line, and add the following: all the powers heretofore exercised by courts of equity in this State.

Mr. Grace moved to lay upon the table.

The motion was lost.

The amendment of Mr. Ingram was put and agreed to.

The second paragraph, as amended, was agreed to.

Mr. Hawkins moved to strike out the word "other" in the third paragraph.

The amendment was agreed to.

The third paragraph, as amended, was agreed to.

The fourth paragraph was agreed to.

The fifth paragraph was agreed to.

Mr. Harrell moved to amend the sixth paragraph as follows: to strike out all of the paragraph to the word "and," in the fifteenth line.

Mr. Underwood, of the Thirty-second, moved to lay upon the table, which motion prevailed.

The sixth paragraph was agreed to.

Mr. Spence, of the Thirty-fifth, moved to amend the seventh paragraph as follows : by inserting, after the word "jury," the words : at the first term thereof, after service has been perfected. Also to amend by adding, after the word "failed," in the seventeenth line, the words : under oath.

Mr. DuBose moved to lay upon the table, which was agreed to.

Mr. Mobley moved to amend by adding, in the seventeenth line, the words : after personal service.

Mr. Newell moved to lay upon the table, which prevailed.

Mr. Reese, of the Twenty-ninth, moved to amend by adding, after the word "filed," the words : under oath.

Mr. Cain offered the following amendment to the amendment : by adding the words : which defense may be filed at the first or any subsequent term.

The amendment was lost.

Mr. Pace moved to add to the amendment of Mr. Reese the words : or affirmation.

The amendment was accepted by Mr. Reese.

Mr. Anderson called for the previous question.

The call was seconded, and the amendment of Mr. Reese was put and agreed to.

The seventh paragraph, as amended, was agreed to.

The eighth paragraph was agreed to.

Mr. Willis offered the following additional paragraph :

The General Assembly may provide by law for the appointment of some proper person to preside, in cases where the presiding Judge is, from any cause, disqualified.

The amendment was agreed to.

The first paragraph of section five was agreed to.

Mr. Robertson offered the following substitute for the entire sixth section, to-wit:

1. The powers of the Courts of Ordinary, for probate purposes, shall be vested in an Ordinary for each county, from whose decisions there may be an appeal to the Superior Court, under regulations prescribed by law.

2. The powers of the Courts of Ordinary, for county purposes, shall be vested in the Ordinary, together with four Commissioners, who shall be selected by the Grand Jury.

3. The Courts of Ordinary, for county purposes, as herein created, shall have such powers in relation to roads, bridges, ferries, public buildings, paupers, county officers, county funds, and county taxes, and other county matters, as may be conferred on them by law.

4. The Ordinary shall be elected in the manner prescribed for the election of county officers, for the term of four years, and shall receive such compensation, or fees, as shall be fixed by law. The Commissioners shall hold office for two years, and serve without pay, but be exempt, during this term of service, from road and jury duty.

5. The powers of Boards of County Commissioners now in existence shall not be affected by this section.

Mr. Dismuke offered to amend by striking out the word "Ordinary;" and inserting: Probate Judge.

Mr. Mercier moved to lay upon the table, which was agreed to.

Mr. Pace offered the following amendment: by striking out the words "from whose decision," in the second line, and inserting a period after the word "county," in the second line.

Mr. Reese offered the following amendment, which was accepted by Mr. Pace, to wit: by adding, after the word "appeal," in the third line, the words: or by consent of parties without a decision.

The question was put, and the amendment of Mr. Reese agreed to.

The first paragraph, as amended, was agreed to.

Mr. Wofford moved to strike out the whole of the second paragraph.

Mr. Bass offered the following amendment: Insert, after "Ordinary," in the first line of paragraph two, the words: or County Commissioners, where such exist.

The motion of Mr. Wofford was withdrawn.

Mr. Warren, of the Twenty-third, moved to add to the paragraph, the words: where there are no County Commissioners or County Court.

Mr. Brown moved to lay all of the amendments before the house on the table, which motion prevailed.

Mr. McDonald offered the following proviso to the paragraph: *Provided*, however, such powers may be conferred on other tribunals.

Upon motion of Mr. Mercier, the amendment was laid upon the table.

Paragraph second was agreed to.

Mr. Underwood, of the Thirty-first, moved to amend the sixth section by striking out the word "four," after the word "of," in paragraph third, eighth line, and inserting the word : two.

Mr. Creech moved to lay upon the table, which motion did not prevail.

Mr. Creech called for the yeas and nays.

The call was sustained, and a vote taken with the following result :

Those voting in the affirmative were Messrs.—

Bachlott,	May,
Barrow,	Mattox,
Brannen,	McCallum,
Braddy,	McFarland,
Buchanan,	McLeod,
Cain,	Moore,
Casey,	Nisbet,
Carter,	Newell,
Chambers,	Pace,
Coney,	Pierce,
Creech,	Perry,
Davis of the 10th,	Phillips of the 18th,
Day,	Porter,
Dismuke,	Ponder,
DuBose,	Polk,
Edge,	Reese of the 28th,
Ellington,	Reese of the 29th,
Fain,	Render,

Featherston,	Rosser,
Garren,	Rogers,
Gay,	Ross,
Glover,	Russell of the 8th,
Guerard,	Sanders,
Gignilliatt,	Sanford,
Graham,	Seward,
Gibbs,	Simmons,
Greer of the 13th,	Sibley,
Hamilton of the 21st,	Scott of the 13th,
Hansell,	Spence of the 35th,
Hammond of the 22d,	Stroud,
Hammond of the 35th,	Swearingen,
Harris,	Screven,
Head,	Smith,
Heard,	Stevens of the 6th,
Hewell,	Trammell,
Heath,	Tye,
Hicks,	Thompson,
Howell,	Tuggle,
Horne,	Tumlin,
Hudson of the 25th,	Warren of the 1st,
Jackson,	Warren of the 23d,
Jones,	Wallace,
Johnson of the 18th,	Warthen,
Johnson of the 30th,	Wellborn,
Johnson of the 42d,	Westmoreland,
Key,	Winn, R. D.
Keller,	Winn, L. J.
Lawson,	

Those voting in the negative were Messrs.—

Awbrey,	Jenkins of the 10th,
Barrett,	Knight,
Bass,	Lofton,
Bristow,	Little,

Brown,	Lowe,
Burnett,	Logino,
Bryan,	Matthews,
Boyd,	McDonald,
Bush,	McIntosh,
Camp,	McRea,
Collier,	Mercier,
Clifton,	Mobley,
Clark,	Mosely,
Chancy,	Mynatt,
Coats,	Osborne,
Cooper,	Paris,
Crane,	Phillips of the 36th,
Davis of the 23d,	Respass,
Dell,	Roberts,
Denton,	Robertson,
Dickey,	Rowe,
Donaldson,	Sale,
Flewellen,	Scott of the 30th,
Fields,	Stokes,
Fitten,	Spence of the 5th,
Furlow,	Shepherd,
Gartrell,	Swanson,
Guerry,	Stevens of the 40th,
Gorman,	Tift,
Grace,	Twitty,
Goff,	Tharpe,
Hamilton of the 42d,	Underwood of the 31st,
Harrell,	Underwood of the 32d,
Hawkins,	Wells,
Hall,	Whiddon,
Hand,	Wimberly,
Hardy,	Williams,
Henry,	Wilson,
Hollifield,	Willis,

Hunt,
Hudson of the 29th,
Ingram,

Wright,
Wofford.

Yeas 95.

Nays 83.

So the motion to lay upon the table prevailed.

The third paragraph was agreed to.

The substitute of Mr. Roberston was taken up.

Mr. Tumlin moved to lay upon the table, which motion prevailed.

Mr. Osborn moved to amend the seventh section, first paragraph, by striking out "one," in the first line, and "four," in the second line, and insert: two, in the first line, and: two, in the second line.

The question was divided, and the motion to strike out in the first line, was put, and did not prevail.

The motion to strike out in the second line, did not prevail.

Mr. Trammell moved to amend paragraph first, in first line, by inserting: militia, before the word "district."

The motion prevailed.

The first paragraph as amended, was agreed to.

Mr. Moore moved to amend the second paragraph as follows: by inserting after the words "*ex contractu*," the words: and in cases of trespass, or other injury to personalty.

Mr. Key moved, as a substitute, to strike out the words "arising *ex contractu*," in the second line.

The substitute of Mr. Key was withdrawn, and the amendment of Mr. Moore was put, and agreed to.

Mr. Westmoreland moved to amend by striking out "place" and inserting: precinct, in the first line, and striking out "one hundred," in the second line, and inserting: fifty.

Upon motion of Mr. Mosely, the amendment was laid upon the table.

Mr. Willis offered the following substitute for the whole paragraph :

Justices of the Peace shall have such jurisdiction as may be conferred on them by law.

Upon motion of Mr. Underwood, of the Thirty-first, the amendment was laid upon the table.

Mr. Grace moved to amend by striking out "one hundred," in the second line, and inserting: two hundred.

Upon motion of Mr. Stephens, the amendment was laid upon the table.

Mr. Mobley moved to amend by inserting, in the fifth line, after the word "Court," and before the word "under," the words: and where the principal sum involved exceeds fifty dollars, there may be an appeal to the Superior Court.

Mr. Denton moved to lay the amendment upon the table, which motion prevailed.

Mr. Brown moved to amend by striking out the words, "shall sit monthly at fixed times and places."

Mr. Hunt offered the following addition to the section:

In all cases arising in said court, there may be an appeal to the Superior Court, by such regulations as may be prescribed by law.

Mr. Dismuke moved to lay the amendment of Mr. Brown on the table, which motion prevailed.

Mr. Denton moved to lay the amendment of Mr. Hunt upon the table, which motion prevailed.

Mr. Key proposed the following addition to the paragraph : And said Justices shall have such other authority and jurisdiction as may be conferred on them by law.

Mr. Tumlin moved that the amendment be laid upon the table, which motion prevailed.

Mr. Osborne offered the following substitute for the whole section :

The Justices of the Peace shall have jurisdiction in all civil cases when the principal sum does not exceed one hundred dollars, and shall sit monthly, but in all cases there may be an appeal to a jury, when the sum does not exceed fifty dollars.

Mr. Hawkins moved to lay upon the table, which prevailed.

Mr. Reese, of the Twenty-ninth, called the previous question.

The call was sustained, and the second paragraph was agreed to.

The third paragraph was agreed to.

The fourth paragraph was agreed to.

Mr. Wallace moved to amend paragraph first, section eight, by adding as follows: And, on conviction, shall be removable for malpractice in office.

The amendment was agreed to.

The first paragraph, as amended, was agreed to.

Mr. Mynatt moved to strike out paragraph one of the ninth section.

Mr. Hammond, of the Thirty-fifth, moved to amend the first paragraph by striking out "first," and "elected under this Constitution," in the fourth line, so as to read: This uniformity must be established by the General Assembly.

The motion prevailed.

Mr. Moore moved to amend by inserting after the word "powers," in the second line, the words: except City Courts.

The motion prevailed.

The motion of Mr. Mynatt, to strike out the paragraph, was then put and did not prevail.

The first paragraph, as amended, was agreed to.

Mr. Underwood, of the Thirty-first, moved to amend the first paragraph of section ten, as follows: by striking out the word "appointed," after the word "when," in the first line, and inserting the word: elected; also, by striking out "1880," in the second line, and inserting: 1878.

Mr. Warren, of the First, moved that the paragraph and amendment be laid upon the table until the twelfth section is reached.

The motion prevailed.

Mr. Willis offered the following substitute for the tenth section: The office of Attorney General is hereby abolished. The Governor shall, when the interest of the State requires it, employ competent counsel to represent the State, who shall receive such compensation as may be prescribed by the General Assembly, after such services shall have been rendered.

Mr. DuBose moved that the substitute be laid upon the table, which motion did not prevail.

A memorial from the citizens of Cobb county in regard to the destruction of stock by railroads, was read and referred to the Committee of Final Revision.

Mr. Pierce moved that the paragraph be postponed until the twelfth section is reached.

The motion prevailed.

Leave of absence was granted Messrs. Holcombe and Garren.

On motion of Mr. Edge, the Convention adjourned till to-morrow morning at eight and a half o'clock.

ATLANTA, GEORGIA,
THURSDAY, August 2d, 1877.

The Convention met this morning pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by the Rev. Mr. Edge, of the Twenty-first District.

Upon motion of Mr. Flewellen, the reading of the report of the Committee of Final Revision on Homesteads, was dispensed with.

Mr. Ingram gave notice, that at the proper time he would move to reconsider a portion of the Journal of yesterday.

Messrs. Harrell, Wright, Wallace, Boyd, Hudson, Mobley, also gave notice that they would move to reconsider portions of the Journal of yesterday.

Mr. Ingram moved to reconsider so much of the Journal of yesterday as refers to the action of yesterday in postponing the consideration of section ten until section twelve shall have been reached.

Mr. Ingram withdrew his motion.

Mr. Harrell moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on the adoption of the sixth paragraph of the fourth section of the report on the Judiciary.

Mr. Underwood, of the Thirty-second, moved to lay the motion to reconsider upon the table.

Mr. Harrell called for the yeas and nays.

The call was seconded, and a vote taken, with the following result :

Those voting in the affirmative were, Messrs.

Awbrey,	Lofton,
Bachlott,	Little,
Barrow,	Logino,
Braddy,	May,
Bass,	Mathews,
Bristow,	Mattox,
Brown,	McDonald,
Buchanan,	McCallum,
Burnett,	McIntosh,
Bryan,	McFarland,
Boyd,	McLeod,
Cain,	McRae,
Camp,	Mercier,
Carter,	Mershon,
Collier,	Mobley,
Clark,	Mosely,
Chambers,	Mynatt,
Chancy,	Nisbet,
Conley,	Newell,
Coney,	Osborne,
Coats,	Pace,
Creech,	Paris,
Davis of the 10th,	Pierce,
Davis of the 23d,	Perry,
Dell,	Phillips of the 18th,
Denton,	Phillips of the 36th,
Dismuke,	Porter,
DuBose,	Ponder,
Edge,	Polk,
Featherston,	Rogers,

Flewellen,	Roberts,
Field,	Robertson,
Fitten,	Ross,
Furman,	Render,
Gartrell,	Rosser,
Gay,	Rowe,
Glover,	Sale,
Guerard,	Sapp,
Gignilliat,	Sanders,
Graham,	Sanford,
Gorman,	Seward,
Gibbs,	Simmons,
Grace,	Sibley,
Goff,	Scott of the 30th,
Greer of the 21st,	Stokes,
Hamilton of the 21st,	Spence of the 5th,
Hamilton of the 42nd,	Spence of the 35th,
Hawkins,	Shepherd,
Hansell,	Swanson,
Hammond of the 35th,	Swearingen,
Harris,	Screven,
Hall,	Stevens of the 6th,
Hand,	Stevens of the 40th,
Hardy,	Toombs,
Head,	Tift,
Heard,	Tye,
Hewell,	Twitty,
Heath,	Thompson,
Hicks,	Tuggle,
Howell,	Tumlin,
Horne,	Tharpe,
Hudson of the 25th,	Underwood of the 31st
Hudson of the 29th,	Underwood of the 32d
Ingram,	Warren of the 23d,
Jones,	Wellborn,
Jenkins of the 10th,	Westmoreland,

Johnson of the 19th,
Johnson of the 30th,
Johnson of the 42d,
Key,
Keller,
Knight,
Lawton,
Lawson,

Whiddon,
Wimberly,
Willis,
Wright,
Winn, R. D.,
Winn, L. J.
Wofford.

Those voting in the negative were, Messrs.

Bush,
Casey,
Clifton,
Cooper,
Crane,
Day,
Donaldson,
Ellington,
Fain,
Fontaine,
Furlow,
Guerri,
Greer of the 13th,
Harrell,
Hammond of the 22d,
Henry,
Hollifield,
Hunt,

Jackson,
Johnson of the 18th,
Lowe,
Moore,
Reese of the 28th,
Reese of the 29th,
Respass,
Russell of the 8th,
Scott of the 13th,
Stroud,
Smith,
Trammell,
Warren of the 1st,
Wallace,
Warthen,
Wells,
Williams,
Wilson.

Yeas, 147.

Nays, 37.

So the motion to lay upon the table prevailed.

Mr. Toombs, chairman of the Committee of Final Revision, submitted the following :

SECTION 1. There shall be a thorough system of common schools maintained, as nearly uniform as practicable, the expense of which shall be provided for by taxation, or otherwise. The schools shall be free to all the children of the State, but separate schools shall be provided for the white and colored races.

SEC. 2. There shall be a State School Commissioner appointed by the Governor, and confirmed by the Senate, whose term of office shall be two years, and until his successor is appointed and qualified. His office shall be at the seat of government, and he shall be paid a competent salary. The General Assembly may substitute for the State School Commissioner such officer, or officers, as may be deemed necessary to perfect the system of public education.

SEC. 3. The poll tax, any educational fund now belonging to the State (except the endowment of and debt due to the University of Georgia), a special tax on shows and exhibitions, and on the sale of spirituous and malt liquors, which the General Assembly is hereby authorized to assess, and the proceeds of any commutation tax for militia service, are hereby set apart and devoted to the support of common schools.

SEC. 4. Authority may be granted to counties and municipal corporations to establish and maintain public schools in their respective limits by local taxation, but no such local laws shall take effect until the same shall have been submitted to a vote in such county, or municipal corporation, and the General Assembly may prescribe who shall vote on such question.

SEC. 5. Existing local school systems shall not be affected by this Constitution.

SEC. 6. The Trustees of the University of Georgia may accept bequests, donations, and grants of land, or other property for the use of said University. In addition to the payment of the annual interest on the debt due by the State to the University, the General Assembly may, from time to time, make such donations thereto as the condition of the treasury will authorize.

Under the rules, the report was laid upon the table.

Leave of absence was granted to Mr. Dickey, of the Twenty-fifth.

Mr. Wright moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on the proposed amendment of Mr. Fontaine, requiring Judges of the Superior Courts to alternate in their circuits.

Mr. DuBose moved to lay the motion to reconsider upon the table, which motion prevailed.

Mr. Boyd moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on the proposed amendment of Mr. Underwood to the third paragraph of section six, in regard to the term of office of Ordinaries.

Mr. Creech moved to lay the motion to reconsider on the table.

Mr. Tift called for the yeas and nays.

The call was sustained, and a vote taken, which resulted as follows:

Those voting in the affirmative were Messrs:

Bachlott,
Barrow,
Brannen,
Braddy,
Buchanan,
Cain,
Casey,
Chambers,
Conley,
Creech,
Davis of the 10th,
Day,
Denton,
Dismuke,
DuBose,
Edge,
Ellington,
Fain,
Featherston,
Fontaine,
Furman,
Gay,
Glover,
Guerard,
Gignilliat,
Graham,
Gibbs,
Greer of the 13th,
Greer of the 21st,
Hamilton of the 21st,
Hamilton of the 42d,
Hansell,
Hammond of the 22d,
Hammond of 35th,
Harris,
Head,

Johnson of the 42d,
Key,
Keller,
Lawton,
Lawson,
May,
Mattox,
McCallum,
McFarland,
McLeod,
Mershon,
Moore,
Nisbet,
Newell,
Pace,
Pierce,
Perry,
Porter,
Ponder,
Reese of the 28th,
Reese of the 29th,
Render,
Rosser,
Rogers,
Ross,
Russell of the 8th,
Sanford,
Seward,
Simmons,
Sibley,
Scott of the 13th,
Spence of the 35th,
Stroud,
Screven,
Smith,
Stephens of the 6th,

Heard,
 Hewell,
 Heath,
 Hill,
 Howell,
 Horne,
 Hunt,
 Hudson of the 25th,
 Jackson,
 Jones,
 Johnson of the 18th,
 Johnson of the 30th,

Trammell,
 Thompson,
 Tuggle,
 Tumlin,
 Warren of the 1st,
 Warren of the 23d,
 Wallace,
 Warthen,
 Westmoreland,
 Whiddon,
 Winn, R. D.

Those voting in the negative were Messrs.

Awbrey,
 Barrett,
 Bass,
 Bristow,
 Brown,
 Burnett,
 Bryan,
 Boyd,
 Bush,
 Camp,
 Carter,
 Collier,
 Clifton,
 Clark,
 Chancy,
 Coney,
 Coats,
 Cooper,
 Crane,
 Davis of the 23d,
 Dell,
 Donaldson,

Lofton,
 Little,
 Low,
 Logino,
 Matthews,
 McDonald,
 McIntosh,
 McRea,
 Mercier,
 Mobley,
 Moseley,
 Mynatt,
 Osborne,
 Paris,
 Phillips of the 36th,
 Polk,
 Respass,
 Roberts,
 Robertson,
 Rowe,
 Sale,
 Sapp,

Flewellen,
Fields,
Fitten,
Furlow,
Gartrell,
Guerry,
Grace,
Goff,
Harrell,
Hawkins,
Hall,
Hand,
Henry,
Hicks,
Holcombe,
Hollifield,
Hudson of the 29th,
Ingram,
Jenkins of the 10th,
Johnson of the 19th,
Knight,

Yeas, 95.

Nays, 86.

Sanders,
Scott of the 30th,
Stokes,
Spence of the 5th,
Shepherd,
Swanson,
Swearingen,
Stephens of the 40th
Tift,
Twitty,
Tharpe,
Underwood of 31st,
Underwood of 32d,
Wellborn,
Wells,
Wimberly,
Williams,
Wilson,
Willis,
Wright,
Wofford.

So the motion to lay upon the table prevailed.

Mr. Hudson, of the Twenty-fifth, moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on paragraph two of section seven, relative to Justices of the Peace.

The motion to reconsider prevailed.

Mr. Mosely offered the following substitute for the whole section :

The Justices of the Peace shall have jurisdiction in all civil cases where the principal sum does not exceed one hundred dollars, and in all cases of damage or trespass when the amount does not exceed one hundred dollars, either party shall have the right of appeal to a jury, and in all cases where the amount exceeds fifty dollars, either party shall have the right to appeal to the Superior Court.

Mr. Hudson, of the Twenty-fifth, offered the following substitute :

Justices of the Peace shall have such jurisdiction as may be conferred upon them by the General Assembly.

Mr. Hudson, of the Twenty-ninth, moved to lay both substitutes upon the table.

The motion was lost.

Mr. Crane called for the previous question.

The call was seconded, and the amendment of Mr. Hudson, of the Twenty-fifth, was put and lost.

The substitute of Mr. Mosely was then put, and the substitute was lost.

The main question was then put, and the original paragraph, as amended on yesterday, was rejected.

Mr. Gignilliatt offered the following as an additional paragraph :

The Justices of the Peace shall have such jurisdiction in civil and criminal cases, and shall sit at such times and places as may be prescribed by law ; but in all cases there may be an appeal to a jury in said court, and an appeal

from said court to the Superior Court under such regulations as may be prescribed by law.

Mr. Gar'rell offered the following substitute for the additional paragraph of Mr. Gignilliatt, which was accepted by Mr. Gignilliatt :

Justices of the Peace shall have jurisdiction in all civil cases arising *ex contractu*, and in injuries and damages to personal property when the principal sum does not exceed one hundred dollars, and shall sit monthly at fixed times and places, but in all cases there may be an appeal to a jury in said court, or an appeal to the Superior Court, under such regulations as may be prescribed by law.

Mr. Lawton moved to strike out the word "and," and insert : or, which was agreed to.

The additional section of Mr. Gartrell was agreed to.

The unfinished business of yesterday was resumed.

Upon motion of Mr. Warren, of the First, paragraph one of section eleven was postponed until the twelfth section is reached.

The second paragraph was agreed to.

Mr. Hammond, of the Twenty-second, moved to strike out the twelfth section and insert the following :

The Judges of the Supreme and Superior Courts, and Attorney General, and Solicitors General, shall be elected by the General Assembly, for such term of years as is prescribed by this Constitution, and shall continue in office until their successors shall be elected and qualified ; removable by the Governor, in the address of two-thirds of both branches of the General Assembly for that purpose, and

by impeachment and conviction thereon. The time of said election to be so fixed as to succeed all other elections vested in the General Assembly.

Mr. Bass offered the following as a substitute for section twelve, to-wit :

The Justices of the Supreme Court shall be appointed in the following manner : On a day during the session of the General Assembly, to be fixed by law, in cases where a vacancy will occur before the next session of the General Assembly, the Senate shall begin to nominate, and continue, if necessary, from day to day, two qualified persons for said office, and report the same to the Governor, one of whom shall be commissioned by him to fill said vacancy.

Mr. Bass also offered the following as an additional section, to follow section twelve :

The Judges of the Superior Court, the Attorney General and Solicitors General, shall be appointed by the Justices of the Supreme Court, and commissioned by the Senate, at a session of the General Assembly next preceding a vacancy in either of said offices.

Mr. Warren, of the First, offered the following substitute for the substitute of Mr. Hammond :

1. The Judges of the Supreme and Superior Courts, and Solicitors General, shall be elected by the General Assembly, in joint session, at such time as may be fixed by law. They shall be elected by the General Assembly which convenes last before the expiration of the terms of the incumbents whose offices are to be filled. A majority of all the votes cast shall be necessary to elect.

2. The Attorney General shall be elected at the same time and in the same manner as the Governor.

Mr. Greer, of the Twenty-first, called for the previous question.

The call was sustained, and the substitute of Mr. Hammond was put.

The substitute was lost.

The substitute of Mr. Warren was then accepted in lieu of section twelve.

Upon agreeing to the substitute, Mr. Dismuke called for the yeas and nays.

The call was sustained, and a vote taken, with the following result :

Those voting in the affirmative were Messrs.—

Awbrey,
Bachlott,
Braanen,
Braddy,
Clifton,
Chambers,
Chancy,
Coney,
Coats,
Crane,
Creech,
Davis of the 23d,
Dell,
Edge,
Gay,
Glover,
Guerard,
Gorman,
Gibbs,
Grace,

Matthews,
Mattox,
McDonald,
McFarland,
Mershon,
Moble,
Mynatt,
Nisbet,
Newell,
Paris,
Perry,
Phillips of the 36th,
Porter,
Reese of the 28th,
Reese of the 29th,
Render,
Respass,
Robertson,
Sapp,
Sibley,

Greer of the 13th.
 Greer of the 21st,
 Hammond of the 22d,
 Hall,
 Hand,
 Hardy,
 Heard,
 Hewell,
 Heath,
 Hicks,
 Hill,
 Hollifield,
 Hudson of the 25th,
 Hudson of the 29th,
 Ingram,
 Jackson,
 Jones,
 Keller,
 Little,
 May,

Stokes,
 Spence of the 5th,
 Swanson,
 Screven,
 Smith,
 Stevens of the 6th,
 Toombs,
 Tye,
 Twitty,
 Thompson,
 Tumlin,
 Tharpe,
 Warren of the 1st,
 Warren of the 23d,
 Wallace,
 Warthen,
 Whiddon,
 Wimberly,
 MR. PRESIDENT.

Those voting in the negative were Messrs,—

Barrett,
 Barrow,
 Bass,
 Brown,
 Buchanan,
 Burnett,
 Boyd,
 Bush,
 Cain,
 Casey,
 Camp,
 Carter,
 Collier,
 Clark,
 Cooper,
 Davis of the 10th,

Johnson of the 42d,
 Key,
 Knight,
 Lawton,
 Lawson,
 Lofton,
 Lowe,
 Logino,
 McCallum,
 McIntosh,
 McLeod,
 McRea,
 Mercier,
 Mosely,
 Moore,
 Osborne,

Day,	Pace,
Denton,	Pierce,
Dismuke,	Ponder,
Donaldson,	Polk,
DuBose,	Rogers,
Ellington,	Rosser,
Fain,	Roberts,
Featherston,	Ross,
Flewellen,	Rowe,
Field,	Russell of the 8th,
Fitten,	Sale,
Fontaine,	Sanders,
Furman,	Sanford,
Furlow,	Seward,
Gartrell,	Scott of the 13th,
Guerry,	Scott of the 30th,
Gignilliatt,	Spence of the 35th,
Graham,	Stroud,
Goff,	Shepherd,
Hamilton of the 21st,	Swearingen,
Hamilton of the 42d,	Stevens of the 40th,
Harrell,	Trammell,
Hawkins,	Tift,
Hammond of the 35th,	Tuggle.
Harris,	Underwood of the 31st
Head,	Underwood of the 32d
Henry,	Westmoreland,
Howell,	Wells,
Holcombe,	Williams,
Horne,	Wilson,
Hunt,	Willis,
Jenkins of the 10th,	Wright,
Johnson of the 18th,	Winn, R. D.
Johnson of the 19th,	Winn, L. J.
Johnson of the 30th,	Wofford.

Yeas, 78.

Nays, 102.

So upon a vote of yeas and nays, the substitute was lost.

Mr. Trammell proposed the following to follow the eleventh section :

The Judges of the Supreme and Superior Courts, and Solicitors General shall be elected by the qualified voters of this State, in such manner as may be provided for by law, but no Judge of the Superior Court shall be eligible to re-election.

A point of order having been raised, and decided, upon motion, paragraph three, of section second, which had been postponed until the twelfth section should be reached, was taken up.

Mr. Warren moved to amend the paragraph by striking out the word "appointed," in the eighth, ninth and tenth lines, and inserting: elected by the General Assembly.

Mr. Bass moved to lay the paragraph on the table, which was lost.

Mr. Little moved to amend by striking out all after the word, "qualified," in the third line.

The previous question was called, which call was not sustained.

Mr. Brown moved to amend the amendment of Mr. Warren, by striking out "General Assembly," which was lost.

The amendment of Mr. Warren was put.

Mr. Dismuke called for the yeas and nays.

The call was not sustained.

The amendment of Mr. Warren was agreed to.

Upon motion of Mr. Warren, of the First, the amendment of Mr. Little, was laid upon the table.

Mr. Hammond, of the 35th, moved to amend by inserting, in the tenth line: elections, in lieu of "appointments," which was agreed to.

Mr. Collier offered the following as a substitute for the section as amended, as follows:

The Judges of the Supreme Court shall be elected by the qualified voters of this State, on the first Wednesday in October, 1878, for such term as may be fixed in this Constitution, and shall hold their offices until their successors are elected and qualified.

Upon motion the Convention adjourned until to-morrow morning at eight and a half o'clock.

ATLANTA, GEORGIA,
FRIDAY, August 3, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by Rev. Mr. Underwood, of the Thirty-first District.

Mr. Wallace moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in rejecting the amendment to the twelfth section, offered by Mr. Warren,

The motion to reconsider prevailed.

Mr. Matthews moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on the last line of the tenth section, so as to strike out "elected" and insert: appointed.

So the motion to reconsider prevailed.

Mr. Featherston moved to suspend the regular order of business for the purpose of considering a resolution to change the hour of meeting of the Convention.

The motion was lost.

Mr. Harrell, chairman of the committee on Printing, submitted the following report :

Mr. President :

The Committee on Printing, to which was referred the investigation into the printing necessary for the Convention,

and to secure the most reasonable terms upon which the same could be done, beg leave to report that they have had the same under consideration, and recommend that one thousand copies of the Journal, Constitution, Ordinances and Resolutions be printed and distributed among the public offices of the State, to be kept in their offices for the use of the public ; one copy each to the Governor and Executive officers, one to the Judges of the Supreme and Superior Courts each ; one to the Sheriff, Ordinary and Clerk of the Superior Court of each county ; one copy to each member and officer of the Convention, and one to each State of the United States, and the remainder to the Library.

In order to secure the lowest terms for furnishing the same, your committee notified the different publishers in this city when, in order to insure expedition, it was necessary the printing should be done, and received bids for the work. The lowest bids were from V. P. Sisson & Co., and James P. Harrison & Co., respectively, the first offering to do the work for \$681.50, to be delivered in two weeks after receiving the full copy, and the latter for \$728.42, to be delivered in seven days after the adjournment of the Convention, the Journal, etc., estimated to contain five hundred and fifty pages, and executed in the same style as the Senate Journal of 1875.

As it is very important that the proceedings and final action of the Convention should be placed before the people as early as possible, for the purpose of enabling them to vote intelligently upon the Constitution we adopt ; and as each of the publishers bidding were notified of that fact, and the time of delivery of the work was included in the estimates, we consider that the difference of time between these two lowest bids more than compensates the pecuniary difference, and that the bid of Jas. P. Harrison & Co., under the circumstances, becomes the most reasonable for the public interest ; and, therefore, recommend

that the Convention authorize your committee to contract with Jas. P. Harrison & Co., upon the above terms, and they submit a resolution to that effect.

Several parties having asked the privilege of publishing an indexed edition of the Constitution, ordinances, and resolutions of the Convention, at their own expense, for general circulation, and resolutions to that end having been referred to us, we beg leave to report, that as J. C. Nisbet, the Secretary of the Convention, is among the number, and has greater facilities for the prompt and correct execution of the same, that the privilege be granted to him, and report a resolution accordingly.

D. B. HARRELL, Chairman.

1. *Resolved*, That the Committee on Printing be authorized to contract with Jas. P. Harrison & Co. for the printing of the Journal, Constitution, Ordinances, and Resolutions of the Convention, on the terms specified in this report.

2. That J. C. Nisbet, Secretary of the Convention, be authorized to print, at his own expense, such number of the Constitution, Ordinances, and Resolutions of this Convention as he may see proper.

Upon motion of Mr. Harrell, the report was taken up.

Mr. Tift moved to amend by adding to the resolution of the committee giving the Secretary authority to print the Constitution, etc., the words : or any other person.

Mr. Hill moved that the amendment be laid upon the table, which motion prevailed.

The report of the committee was adopted.

Leave of absence was granted to Messrs. R. D. Winn, Phillips, Coney, Anderson, and Render.

A memorial from citizens of the State, in reference to railroad freights, was referred, without reading, to the Committee of Final Revision.

Mr. Warren withdrew his amendment of yesterday, and moved the adoption of the following, in lieu of section twelve :

The Judges of the Supreme and Superior Courts, and Solicitors General shall be elected by the General Assembly, in joint session, on such day, or days, as shall be fixed by joint resolutions of both Houses, at the session of the General Assembly, which is held next before the expiration of the terms of the present incumbents, as provided in this Constitution, their successors shall be chosen, and the same rule shall apply to the election of those who shall succeed them. Vacancies occasioned by death, resignation, or other cause, shall be filled by appointment of the Governor, until the General Assembly shall convene, when an election shall be held to fill the unexpired portion of the vacant terms.

Mr. Warren moved to suspend the regular order of business for the purpose of considering the substitute offered by him.

Mr. Hunt moved to lay the substitute of Mr. Collier for the fourth paragraph upon the table.

Mr. Brown called for the yeas and nays.

The call was sustained, and a vote taken, which resulted as follows :

Those voting in the affirmative were Messrs.—

Awbrey,
Bachlott,
Barrow,

Lawson,
Lofton,
Little,

Braddy,
 Bass,
 Buchanan,
 Burnett,
 Cain,
 Casey,
 Carter,
 Chambers,
 Chancy,
 Conley,
 Coats,
 Cooper,
 Crane,
 Creech,
 Davis of the 10th,
 Davis of the 23d,
 Dell,
 Dismuke,
 Ellington,
 Fain,
 Featherston,
 Flewellen,
 Fitten,
 Fontaine,
 Furman,
 Guerry,
 Gay,
 Glover,
 Guerard,
 Gignilliatt,
 Gorman,
 Grace,
 Greer of the 13th,
 Greer of the 21st,
 Hamilton of the 21st,
 Hamilton of the 42d,
 Hammond of the 22d,
 Hammond of the 35th,
 Harris,

Lowe,
 Logino,
 May,
 Matthews,
 Mattox,
 McDonald,
 McCallum,
 McFarland,
 McLeod,
 Mercier,
 Mershon,
 Mobley,
 Moore,
 Mynatt,
 Nisbet,
 Newell,
 Pace,
 Paris,
 Pierce,
 Perry,
 Phillips of the 36th,
 Ponder,
 Polk,
 Reese of the 28th,
 Reese of the 29th,
 Render,
 Respass,
 Robertson,
 Ross,
 Sapp,
 Sanders,
 Sanford,
 Stokes,
 Spence of the 5th,
 Spence of the 35th,
 Shepherd,
 Swanson,
 Swearingen,
 Screven,

Hardy,
Heard,
Hewell,
Heath,
Hicks,
Hill,
Howell,
Hollifield,
Horne,
Hunt,
Hudson of the 25th,
Hudson of the 29th,
Ingram,
Jackson,
Jones,
Jenkins of the 10th,
Johnson of the 18th,
Johnson of the 19th,
Johnson of the 30th,
Keller,
Lawton,

Smith,
Stevens of the 6th,
Toombs,
Tift,
Tye,
Twitty,
Thompson,
Tuggle,
Tumlin,
Tharpe,
Warren of the 1st,
Warren of the 23d,
Wallace,
Warthen,
Westmoreland,
Wells,
Whiddon,
Wimberly,
Wilson,
Willis,
Winn, L. J.

Those voting in the negative were Messrs.—

Barrett,
Brannen,
Brown,
Bryan,
Boyd,
Bush,
Camp,
Collier,
Clifton,
Clark,
Day,
Denton,
Donaldson,
DuBose,
Edge,

Holcombe,
Johnson of the 42d,
Key,
Knight,
McIntosh,
McRea,
Mosely,
Osborne,
Rosser,
Rogers,
Roberts,
Rowe,
Russell of the 8th,
Sale,
Seward,

Fields,
Gartrell,
Graham,
Gibbs,
Goff,
Harrell,
Hall,
Hand,
Head,
Henry,

Simmons,
Scott of the 30th,
Stevens of the 40th,
Trammell,
Underwood of the 31st
Underwood of the 32d
Wellborn,
Williams,
Wright,
Wofford.

Yeas 126.

Nays 50.

So, by a vote of yeas and nays, the motion to lay upon the table prevailed.

A point of order was raised by Mr. Holcombe: that, when an amendment is laid upon the table, it carries with it the original subject and all amendments to it.

The President decided the point not well taken.

Mr. Holcombe appealed from the decision of the chair.

The decision of the chair was sustained by the house.

Mr. Gartrell offered the following as a substitute for paragraph third, section four:

The Chief Justice and Associate Justices shall be elected by the General Assembly, and shall hold their offices for ——— years, and until their successors are qualified. A successor to the incumbent, whose term of office is next in duration, shall be elected in eighteen hundred and ———; and a successor to the third incumbent shall be elected in eighteen hundred and ———. All elections to fill vacancies shall be only for the unexpired term.

Mr. Matthews moved to amend the section which had been reconsidered, as follows :

Or until such vacancies are filled by appointments agreeably to the mode pointed out by this Constitution.

The amendment was agreed to.

Mr. Simmons called for the reading of Journal of yesterday, in reference to amendments upon the manner of selecting Judges, etc., which was agreed to, and the Journal was read.

Mr. Tift offered the following as a substitute for the third section, as amended :

The Judges of the Supreme and Superior Courts and Solicitors General, shall be appointed by the Governor, with the advise and consent of the Senate, and shall be removable by the Governor, on the address of two thirds of each branch of the General Assembly, or by impeachment and conviction thereon. The Attorney General shall be elected by the qualified voters of the State, at the same time, and in the same manner, as the Governor.

Mr. Mobley moved to lay the motion of Mr. Tift upon the table.

A division of the substitute of Mr. Tift, was called for.

The first paragraph of the substitute was laid upon the table.

The second paragraph of the substitute of Mr. Tift, by general consent, was withdrawn.

The previous question was called and the call sustained.

The main question was put, and the fourth paragraph was agreed to.

Mr. Warren moved to amend the third paragraph of section three, by striking out "appointed," and inserting: elected by the General Assembly, which motion prevailed.

Mr. Hammond moved to amend paragraph three, section three, by substituting the following:

The successors to the present incumbents shall be elected by the General Assembly, as follows: The half (as near as may be), whose commissions will soonest expire, shall be elected in the year —, and the others of them in the year —. All subsequent elections shall be upon the expiration of the terms of incumbents, except elected to fill vacancies. The day of election may be fixed by the General Assembly.

Mr. Hammond moved to insert: 1880 and 1882.

Mr. Brown called for the yeas and nays.

The call was not sustained, and the motion was lost.

Mr. Brown moved to insert in the substitute: 1878 and 1880, which was agreed to.

The substitute of Mr. Hammond was then put and agreed to, in lieu of the original paragraph.

Mr. Tift renewed his substitute for paragraph one of section ten.

The substitute was laid upon the table.

Mr. Underwood, of the Thirty-first, moved to strike out the first paragraph of section ten.

The motion was withdrawn.

Mr. Gartrell moved to suspend the rules for the purpose of taking up a resolution, which was agreed to, and the resolution taken up and adopted, as follows:

Resolved, That each member of this Convention be authorized to draw his per diem from the Treasurer, whenever he desires to do so, provided he does not overdraw the amount due him.

A memorial from the Georgia State Horticultural Society, was read and referred to the Committee of Final Revision.

Mr. Moseley, chairman of the Committee to Inquire into the Salaries and Expenses of Clerical Service in the Executive and State Offices, submitted the following report:

Report of committee appointed to investigate relative to the salaries and clerical expenses of the various offices connected with the Executive Department.

The committee appointed for the above purpose respectfully make the following report:

They find the Treasurer has a salary of.....	\$2,000
And a clerk with a salary of.....	1,600
	<hr/>
Total cost of salary and clerical force of this office...	\$3,600

As this officer has to give a bond of \$200,000, and as he has to have a clerk for whose acts he is responsible, they recommend that he be required to pay his own clerk, and that he have a salary not exceeding four thousand dollars per annum.

They find the Secretary of State has a salary of.....	\$2,000
And a clerk with a salary of	1,600
	<hr/>
Total cost of salary and clerical force of this office...	\$3,600

They recommend that the salary of Secretary of State be fixed at not exceeding twenty-eight hundred dollars per

annum, and that from this sum he be required to pay what ever clerical force is necessary for his office.

They find the Comptroller General has a salary of...\$3,250
Three clerks with an aggregate salary of..... 4,700

Total cost of salary and clerical force of this office...\$7,950

They recommend that the Comptroller General be required to pay his own clerical force, and that he have a salary of not exceeding six thousand dollars per annum, so long as the Wild Land office be attached to his Department ; should this office be abolished, then the salary not to exceed five thousand dollars per annum, all fees from this Department to be paid into the State Treasury.

They find in the Executive office two secretaries,
salary \$1,800 each,\$3,600
Four clerks, salary \$1,600 each..... 6,400

Total cost for clerical force in this office per annum, \$10,000

They recommend that the total expenditure in this office for secretaries and clerks, including Superintendent of Public Works, be not exceeding eight thousand dollars per annum, the same to be expended according to the discretion of the Governor.

We further recommend that these salaries take effect on first of January next.

S. H. MOSELY, *Chairman.*

Under the rules, the report was laid upon the table.

Upon motion of Mr. Reese, the Convention adjourned until to morrow morning at half past eight o'clock.

ATLANTA, GEORGIA,
SATURDAY, August 4, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by Rev. Mr. Cooper.

Leave of absence was granted to Messrs Coats, Bush, Dismuke, Pace, Shepherd, Underwood, of the Thirty-first, Osborne, Harrell and Furlow.

Mr. Hammond, of the Thirty-fifth, moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in accepting the amendment of Mr. Brown, inserting: 1878 1880, in the substitute to third paragraph of third section of the report.

Mr. Wright moved to lay the motion to reconsider upon the table, which motion prevailed.

The yeas and nays were called for.

The call was not seconded.

Mr. Hudson moved to suspend the rules for the purpose of considering a resolution limiting debates in the Convention.

The motion prevailed, and the resolution was read, as follows:

Resolved, That on and after Monday, the 6th instant, no member of the Convention shall be permitted to speak more than twice upon the same subject, nor longer than five minutes, without the consent of the Convention.

Mr. Flewellen offered the following substitute, which was accepted by Mr. Hudson, to wit:

Resolved, That, from and after this day, no delegate shall be permitted to speak more than twice upon the same subject, nor longer than five minutes, without the consent of a majority of those present.

Mr. Hawkins moved to lay upon the table, which motion was lost.

The resolution of Mr. Flewellen was adopted.

Upon motion, an inaccuracy in the Journal of Thursday was corrected,

The unfinished business of yesterday was resumed.

Mr. Wright moved to insert the following as a substitute for the first paragraph of the tenth section :

The Solicitor General of the district in which the Capital is located shall be *ex officio* Attorney General of the State. In addition to his fees and salary as Solicitor General, he shall have a salary, as Attorney General, of five hundred dollars, without further fees.

Upon motion of Mr. Ingram, the motion was laid upon the table.

Mr. Ingram offered the following substitute for the amendment offered by Mr. Tift to the first paragraph of section ten, which was accepted by Mr. Tift :

The Attorney General in the State, who shall be elected by the people at the same time, and in the same manner as the Governor.

The substitute was put to the House in lieu of the original paragraph, and agreed to.

Mr. Willis offered the following, to be inserted after the

second paragraph : His salary shall not exceed two thousand dollars per annum, and he shall not receive any additional compensation from fees or perquisites, and no further compensation shall be paid for legal services rendered the State by any person, except by authority of the General Assembly. This section not to apply to the existing legislation of the State.

Mr. Holcombe moved to lay upon the table, which motion prevailed.

Mr. Brown offered the following amendment to paragraph two: strike out "all capital felonies," and insert: all criminal cases.

Mr. Mershon moved that the amendment be laid upon the table, which motion prevailed.

Mr. Mershon moved to amend the second paragraph by striking out the word "represent," in the fourth line, and inserting the word: assist.

The motion was lost.

The second paragraph of the tenth section was agreed to.

Mr. Key offered the following substitute for paragraph one of section eleven: There shall be a Solicitor General for each Judicial Circuit, who shall be elected by the people of each circuit, qualified to vote for members of the General Assembly, for the term of four years, and shall continue in office until his successor shall be elected and qualified, subject to removal from office by the Governor, upon the address of a two-thirds vote of both branches of the General Assembly, or by impeachment and conviction thereon.

Mr. Spence, of the Thirty-fifth, offered a substitute for the substitute of Mr. Key.

The substitute of Mr. Spence was put, and lost.

The substitute of Mr. Key for the original paragraph was put and lost.

Mr. Wallace offered the following amendment, to be inserted at the end of the paragraph : Except the first election, when the term of office of the present incumbent shall expire by operation of law, and half (as near as may be) shall be elected for two years, and the remainder half for four years.

Mr. Creech moved to lay the amendment upon the table which motion prevailed.

Mr. Moore moved to amend as follows :

Strike out the word “appointed,” in the first line of the first paragraph and eleventh section, and insert in lieu thereof the word : commissioned.

The amendment was agreed to.

The first paragraph, section eleven, as amended, was agreed to.

The second paragraph was agreed to.

Mr. Warren proposed the following in lieu of the original twelfth section :

The Judges of the Supreme and Superior Courts, and Solicitors General, shall be elected by the General Assembly in joint session, on such day, or days, as shall be fixed by joint resolution of both Houses, at the session of the General Assembly which is held next before the expiration of the terms of the present incumbents, as provided in this Constitution their successors shall be chosen ; and the same shall apply to the election of those who shall succeed them.

Vacancies occasioned by death, resignation, or other cause' shall be filled by appointment of the Governor until the General Assembly shall convene, when an election shall be held to fill the unexpired portion of the vacant terms.

The amendment was received in lieu of the original section.

Mr. Bass moved to amend as follows: Strike out the words "twenty-two hundred and fifty," in the third line and insert the words: eighteen hundred.

Mr. Mosely moved to amend by striking out the words "thirty-five hundred," after the word "exceed," and insert the words: twenty-five hundred. Also, to strike out the words "twenty-two hundred and fifty," third line, and insert the words: eighteen hundred, in lieu thereof.

Mr. Mynatt offered the following substitute for the whole section:

The Judges of the Supreme and Superior Courts, and the Attorney and Solicitors General, shall have out of the State treasury adequate salaries, which shall not be increased or diminished during their continuance in office. But the Attorney General shall not have any fee or perquisites in any case arising after the adoption of this Constitution.

Upon motion of Mr. Matthews, the amendment of Mr. Mosely was laid upon the table.

Mr. Holcombe moved to strike out, in the second line, the words "thirty-five hundred," and insert: twenty-six hundred.

Mr. Warren, of the Twenty-third, offered the following amendment, which was read for information:

The salary of the Judges of the Supreme Court shall be \$7,000. per annum, and the salaries of the Judges of the Superior Court shall be \$2,000, and which shall neither be increased or diminished but by a law passed by a majority of two-thirds of the General Assembly.

Mr. Gartrell moved as a substitute for the motion of Mr. Holcombe: Strike out "thirty-five hundred," and insert, in lieu thereof: three thousand.

Upon motion of Mr. Pierce a division of the amendment was agreed to, and a motion to strike out was put.

Mr. Simmons called for the yeas and nays.

The call was sustained, and a vote taken, which resulted as follows:

Those voting in the affirmative were Messrs.—

Awbrey,
Bachlott,
Barrett,
Brannen,
Bass,
Brown,
Burnett,
Bryan,
Boyd,
Bush,
Cain,
Camp,
Collier,
Clifton,
Clark,
Chancy,
Conley,

Jenkins of the 10th,
Johnson of the 42d,
Key,
Keller,
Knight,
Little,
Lowe,
Logino,
Mattox,
McDonald,
McCallum,
McIntosh,
McFarland,
McLeod,
McRea,
Mercier,
Moble,

Cooper,
Creech,
Davis of the 23d,
Day,
Denton,
Donaldson,
Ellington,
Fain,
Featherston,
Fields,
Fitten,
Gartrell,
Gay,
Glover,
Graham,
Gorman,
Gibbs,
Grace,
Goff,
Greer of the 13th,
Hamilton of the 21st,
Hamilton of the 42d,
Harrell,
Hawkins,
Hall,
Hand,
Hardy,
Head,
Hewell,
Henry,
Hicks,
Holcombe,
Horne,
Hudson of the 25th,
Ingram,
Jackson,
Jones,

Mosely,
Moore,
Paris,
Phillips of the 36th,
Ponder,
Polk,
Respass,
Rogers,
Roberts,
Rowe,
Russell of the 8th,
Sale,
Sapp,
Seward,
Scott of the 13th,
Scott of the 30th,
Spence of the 5th,
Swanson,
Swearingen,
Smith,
Stevens of the 6th,
Stevens the of 40th,
Trammell,
Tye,
Twitty,
Tumlin,
Tharpe,
Underwood of the 32d,
Warren of the 23d,
Wellborn,
Wells,
Whiddon,
Williams,
Wilson,
Wright,
Wofford.

Those voting in the negative were Messrs.—

Barrow,	Matthews,
Bristow,	Mershon,
Buchanan,	Mynatt,
Casey,	Nisbet,
Carter,	Newell,
Crane,	Pierce,
Davis of the 10th,	Perry,
Dell,	Porter,
Dismuke,	Reese of the 28th,
DuBose,	Reese of the 29th,
Edge,	Rosser,
Flewellen,	Robertson,
Fontaine,	Ross,
Furman,	Sanders,
Guerry,	Sanford,
Guerard,	Simmons,
Greer of the 21st,	Stokes,
Hammond of the 22d,	Spence of the 35th,
Hammond of the 35th,	Stroud,
Harris,	Screven,
Heard,	Toombs,
Heath,	Tift,
Hill,	Thompson,
Hollifield,	Tuggle,
Hunt,	Warren of the 1st, ,
Hudson of the 29th,	Wallace,
Johnson of the 18th,	Warthen,
Johnson of the 30th,	Westmoreland,
Lawton,	Wimberly,
Lawson,	Willis,
Lofton,	Winn, L. J.
May,	

Yeas 108.

Nays 63.

So the motion to strike out prevailed.

Mr. Pierce moved to insert in the blank : \$3,500.

Mr. Hammond moved to fill the blank by inserting : \$4,000, which was accepted by Mr. Pierce.

Mr. Willis moved to fill the blank with : \$3,400.

Mr. Respass moved to fill the blank with : \$3,000, in gold.

Mr. Howell moved to fill the blank by inserting : \$3,000, in currency.

Mr. Pierce withdrew his acceptance of the amendment of Mr. Hammond, and accepted the amendment of Mr. Willis.

The previous question was called.

The call was sustained.

The amendment to insert : \$4,000, was put and lost.

The motion to insert : \$3,400, was put, and did not prevail.

The motion to insert : \$3,000 in gold, was put.

The yeas and nays were called for.

The call was sustained, and a vote was taken, as follows:

Those voting in the affirmative were, Messrs.

Barrow,
Bristow,
Buchanan,
Casey,
Carter,

Lawton,
Lawson,
Little,
May,
Matthews,

Cooper,	Mercier,
Creech,	Mershon,
Davis of the 10th,	Mynatt,
Dell,	Nisbet,
Dismuke,	Newell,
Donaldson,	Pierce,
DuBose,	Perry,
Ellington,	Porter,
Fain,	Ponder,
Flewellen,	Reese of the 28th,
Fields,	Reese of the 29th,
Fitten,	Respass,
Fontaine,	Rosser,
Furman,	Robertson,
Guerry,	Ross,
Glover,	Sanders,
Guerard,	Sanford,
Gibbs,	Scott of the 13th,
Greer of the 13th,	Stokes,
Greer of the 21st,	Spence of the 35th,
Hamilton of the 21st,	Stroud,
Hawkins,	Screven,
Hammond of the 22d,	Stevens of the 6th,
Hammond of the 35th,	Toombs,
Harris,	Tift,
Heard,	Tye,
Heath,	Twitty,
Hill,	Thompson,
Hunt,	Tuggle,
Hudson of the 29th,	Warren of the 1st,
Ingram,	Warren of the 23d,
Jackson,	Wallace,
Jones,	Warthen,
Johnson of the 18th,	Wimberly,
Johnson of the 30th,	Willis,
Keller,	Winn. L. J.

Those voting in the negative were, Messrs.

Awbrey,	Jenkins of the 10th,
Bachlott,	Johnson of the 42d,
Barrett,	Key,
Brannen,	Knight,
Bass,	Lowe,
Brown,	Logino,
Burnett,	Mattox,
Bryan,	McDonald,
Boyd,	McCallum,
Bush,	McIntosh,
Cain,	McFarland,
Camp,	McLeod,
Collier,	McRae,
Clifton,	Mobley,
Clark,	Moore,
Chambers,	Mosely,
Chancy,	Paris,
Conley,	Phillips of the 36th,
Davis of the 23d,	Polk,
Day,	Rogers,
Denton,	Roberts,
Edge,	Rowe,
Featherston,	Sale,
Gartrell,	Sapp,
Gay,	Seward,
Graham,	Scott of the 30th,
Gorman,	Spence of the 5th,
Grace,	Swanson,
Goff,	Swearingen,
Hamilton of the 42nd,	Stevens of the 40th,
Harrell,	Trammell,
Hall,	Tumlin,
Hand,	Tharpe,
Hardy,	Underwood of the 32d

Head,	Wellborn,
Hewell,	Westmoreland,
Henry,	Wells,
Hicks,	Whiddon,
Holcombe,	Williams,
Hollifield,	Wilson,
Horne,	Wright,
Hudson of the 25th,	Wofford.

Yeas, 82.

Nays, 84.

So the motion to insert “ \$3,000 ” in gold was lost.

The motion to insert in the blank “ \$3,000 ” was put and agreed to.

Mr. Wallace moved to amend by inserting the following, after the words “ per annum,” to-wit: from the State Treasury; but when the costs of cases determined by the court shall exceed the costs allowed the clerk and sheriff of said court, the excess of costs shall go to the Judges in equal portions.

Mr. Edge moved to lay upon the table, which motion prevailed.

Mr. Moore moved to amend by striking out in the third line the words “ twenty-two hundred and fifty.”

Mr. Willis moved to suspend further consideration until the committee shall have reported.

Upon motion of Mr. Moore, the motion was laid upon the table.

Mr. Bass moved to amend by striking out “ twenty-two hundred and fifty,” in the third line, and inserting in lieu thereof the words: eighteen hundred.

Mr. Johnson, of the Thirtieth, moved, as a substitute for the amendment of Mr. Bass, the following: Strike out "twenty-two hundred and fifty" and insert: twenty-five hundred.

Mr. Flewellen called for a division of the question, and called for the previous question upon that motion, which was agreed to.

The main question was put, and the motion to strike out prevailed.

Mr. Respass moved to insert \$2,100.

Mr. Nisbet moved to insert \$2,000.

The motion to insert \$2,500 was put and lost.

The motion to insert \$2,200 was put, and did not prevail

The motion to insert \$2,100 was put, and did not prevail.

The motion to insert \$2,000 was put to the house.

The yeas and nays were called.

The call was sustained, and a vote taken, which resulted as follows:

Those voting in the affirmative are Messrs.

Awbrey,
Bachlott,
Barrow,
Bristow,
Buchanan,
Bryan,
Boyd,
Cain,
Casey,

Lawson,
Lofton,
Little,
Logino,
May,
Matthews.
Mattox.
McCallum,
McIntosh,

Carter,
 Collier,
 Chambers,
 Chancey,
 Cooper,
 Crane,
 Creech,
 Davis of the 10th,
 Dell,
 Donaldson,
 DuBose,
 Ellington,
 Fain,
 Featherston,
 Flewellen,
 Fitten,
 Fontaine,
 Furman,
 Gartrell,
 Guerry,
 Gay,
 Glover,
 Guerard,
 Graham,
 Gibbs,
 Grace,
 Greer of the 13th,
 Greer of the 21st,
 Hamilton of the 42d
 Hawkins,
 Hammond of the 22d,
 Hammond of the 35th,
 Harris,
 Hall,
 Hand,
 Heard,

Mercier,
 Mershon,
 Mobley,
 Moore.
 Mynatt,
 Nisbet,
 Newell,
 Pierce,
 Perry,
 Porter,
 Ponder,
 Polk,
 Reese of the 28th,
 Reese of the 29th,
 Respass,
 Rosser,
 Rogers,
 Roberts,
 Robertson,
 Russell of the 8th,
 Sapp,
 Sanders,
 Sanford,
 Seward,
 Scott of the 13th,
 Stokes,
 Spence of the 35th,
 Stroud,
 Swearingen,
 Stevens of the 6th,
 Stevens of the 40th,
 Toombs,
 Trammell,
 Tift,
 Tye,
 Twitty,

Hewell,
Heath,
Hill,
Hollifield,
Hunt,
Hudson of the 25th,
Hudson of the 29th,
Ingram,
Jackson,
Jones,
Jenkins of the 10th,
Johnson of the 18th,
Johnson of the 30th,
Johnson of the 42d,
Keller,
Lawton,

Thompson,
Tuggle,
Tumlin,
Tharpe,
Underwood of the 32d,
Warren of the 1st,
Warren of the 23d,
Wallace,
Warthen,
Wellborn,
Westmoreland,
Wells,
Whidden,
Wimberly,
Winn, L. J.
Wofford.

Those voting in the negative are Messrs.

Brannen,
Bass,
Brown,
Burnett,
Camp,
Clifton,
Clark,
Conley,
Davis of the 23d,
Day,
Denton,
Dismuke,
Edge,
Gorman,
Goff,
Hamilton of the 21st,
Harrell,
Hardy,

Horne,
Key,
Knight,
Lowe,
McDonald,
McFarland,
McLeod,
McRea,
Mosely,
Paris,
Phillips of the 36th,
Ross,
Rowe,
Sale,
Simmons,
Spence of the 5th,
Swanson,
Williams,

Head,
Henry,
Hicks,
Holcombe,

Wilson,
Willis,
Wright.

Yeas, 122.

Nays, 43.

So the motion to insert \$2,000 was agreed to.

Mr. Fain moved to adopt the first paragraph, and called the previous question.

The call was seconded, and the main question was put, and the paragraph, as amended, was agreed to.

Mr. Bass offered the following amendment to the second paragraph: by inserting the words: by yeas and nays, after the word "vote," in the second line.

Upon motion, the amendment was laid upon the table.

Mr. Holcombe moved to strike out the second paragraph of section thirteen.

Mr. Hill moved to amend by striking out, in second paragraph, section thirteen, the words "by a two-thirds vote of each branch."

Mr. Hunt called the previous question.

The call was sustained, and the main question was put.

The amendment of Mr. Hill was lost.

The motion of Mr. Holcombe was put, and did not prevail.

The paragraph was agreed to.

Mr. Russell, of the Eighth, offered the following :

Resolved, That this Convention do adjourn *sine die* on Saturday, the 11th instant.

Mr. Brown moved to adjourn until Monday morning, at ten o'clock.

Mr. Cooper called the yeas and nays.

The called was sustained, and a vote taken, which resulted as follows :

Those voting in the affirmative were Messrs :

Barrow,
Brown,
Bryan,
Boyd,
Cain,
Collier,
Chancy,
Day,
Dell,
Guerry,
Glover,
Graham,
Gorman,
Gibbs,
Hawkins,
Hammond of 35th,
Henry,
Hill,
Holcombe,
Jackson,
Johnson of the 42d,

Key,
Lofton,
Mershon,
Mynatt,
Nisbet,
Pierce,
Polk,
Reese of the 28th,
Reese of the 29th,
Rogers,
Robertson,
Simmons,
Stokes,
Trammell,
Underwood of 32d,
Warren of the 23d,
Wellborn,
Wimberly,
Winn, L. J.
Wofford.

Those voting in the negative were Messrs :

Awbrey,	Keller,
Bachlott,	Knight ,
Brannen,	Lawton,
Bass,	Lawson,
Bristow,	Little,
Buchanan,	Low,
Burnett,	Logino.
Casey,	May,
Camp,	Matthews,
Chambers,	Mattox,
Cooper,	McDonald,
Crane,	McFarland,
Creech,	McLeod,
Davis of the 10th,	McRea,
Davis of the 23d,	Mercier,
Denton,	Mobley,
Donaldson,	Mosely,
DuBose,	Moore,
Edge,	Newell,
Ellington,	Paris,
Fain,	Perry,
Featherston,	Phillips of the 36th,
Flewellen,	Ponder,
Fitten,	Respass,
Fontaine,	Rosser,
Gartrell,	Rowe,
Gay,	Russell of the 8th,
Guerard,	Sale,
Grace,	Sapp,
Goff,	Sanford,
Greer of the 13th,	Scott of the 13th,
Greer of the 21st,	Scott of the 30th,
Hamilton of the 21st,	Spence of the 5th,
Hamilton of the 42d,	Spence of the 35th,

Harrell,
Hansell,
Harris,
Hall,
Hardy,
Head,
Heard,
Hewell,
Heath,
Hicks,
Hollifield,
Horne,
Hunt,
Hudson of the 25th,
Hudson of the 29th,
Ingram,
Jones,
Jenkins of the 10th,
Johnson of the 30th,

Swanson,
Swearingen,
Stephens of the 6th,
Stephens of the 40th
Tift,
Twitty,
Thompson,
Tuggle,
Tumlin,
Tharpe,
Warren of the 1st,
Wallace,
Warthen,
Westmoreland,
Wells,
Whiddon,
Williams,
Wilson,
Willis.

Yeas, 41.

Nays, 106.

So the motion to adjourn did not prevail.

Leave of absence was granted Mr. Wallace.

Mr. Russell moved that the order of the day be suspended for the purpose of taking up his resolution to adjourn *sine die* on the 11th instant.

The motion was lost.

Mr. Tift offered the following amendment, to be inserted between the first and second paragraph:

The Clerk of the Supreme Court shall have a salary, not to exceed three thousand dollars per annum, for himself

and assistant, and no other compensation. The Reporter for the Supreme Court shall have a salary of two thousand dollars per annum, and no other compensation. All compensation in fees, or otherwise, pertaining to the office of Clerk of the Supreme Court, or the office of the Reporter of the Supreme Court, other than their respective salaries, shall be paid into the treasury of the State.

Mr. Gartrell moved till Monday morning, at half-past eight o'clock.

Mr. Brown moved to adjourn till nine o'clock.

Mr. ——— moved to adjourn till ten o'clock.

The Convention adjourned till half-past eight o'clock, on Monday morning.

ATLANTA, GEORGIA,
MONDAY, August 6, 1877.

The Convention met pursuant to adjournment, Vice-President Lawton in the Chair.

Prayer by the Rev. Mr. Tharpe.

Mr. Lawton moved to reconsider so much of the Journal of Saturday as related to the fixing of Judges' salaries, and that the same be heard at eleven o'clock this morning.

Leave of absence was granted Messrs. Gignilliat, Reese of the Twenty-ninth, Swanson, Spence, of the Thirty-fifth, President Jenkins, Johnson, Screven, Smith, Johnson, and Tye.

Mr. Tuggle moved to strike out the word "to" in paragraph one, section fourteen.

The motion was agreed to.

Mr. Nisbet moved to strike out the words "appointment" and "appointed" wherever they occur in paragraph one, section fourteen.

The motion was agreed to.

Mr. Mobley offered the following, as an additional section, to-wit: The General Assembly may at any time, by a two-thirds vote, provide for the election of the Judges of the Supreme and Superior Courts, and Solicitors General, by the qualified voters of this State.

The motion of Mr. Mobley was lost.

Section fourteen was then adopted as amended.

Mr. Gartrell moved to amend section fifteen, paragraph one, by striking out the words "except for adultery, and."

Mr. Featherston offered the following as a substitute for the entire section, to-wit:

Divorces shall be granted between the parties on such grounds, and for such causes as the Legislature may prescribe, but there shall be two concurrent verdicts of two juries rendered in said courts.

Mr. Warren, of the Twenty-third, offered the following as a substitute for the paragraph, to-wit:

Divorces may be granted in the manner and for causes now, or hereafter to be provided by the law of the State.

Mr. Greer, of the Twenty-first, called for the previous question.

The call was sustained.

The yeas and nays were called.

Those voting in the affirmative were Messrs.—

Awbrey,	Johnson of the 30th,
Bachlott,	Johnson of the 42d,
Barrow,	Key,
Brannen,	Lofton,
Bristow,	Little,
Buchanan,	Logino,
Cain,	May,
Casey,	Matthews,
Carter,	McDonald,
Collier,	McCallum,
Clifton,	McFarland,
Chambers,	McRea,
Chancy,	Mercier,
Davis of the 10th,	Mershon,
Day,	Mobley,
Dell,	Moore,
Donaldson,	Mynatt,
DuBose,	Nisbet,
Ellington,	Newell,
Fain,	Osborne,
Featherston,	Pace,
Flewellen,	Paris,
Field,	Pierce,
Fitten,	Perry,
Furman,	Porter,
Gartrell,	Ponder,
Guerry,	Robertson,
Glover,	Ross,
Gorman,	Rowe,
Grace,	Russell of the 8th,
Goff,	Sale,
Greer of the 21st,	Simmons,
Hamilton of the 21st,	Scott of the 13th,
Hawkins,	Stokes,
Hammond of the 22d,	Spence of the 5th,
Hammond of the 35th,	Stroud,
Hall,	Swanson,

Hand,
 Hardy,
 Head,
 Heard,
 Hewell,
 Heath,
 Hill,
 Holcombe,
 Hollifield,
 Hunt,
 Hudson of the 25th,
 Hudson of the 29th,
 Ingram,
 Jones,
 Jenkins of the 10th,
 Johnson of the 18th,

Swearingen,
 Stevens of the 6th,
 Stevens of the 40th,
 Trammell,
 Tift,
 Tuggle,
 Tumlin,
 Warren of the 1st,
 Warthen,
 Wellborn,
 Westmoreland,
 Whiddon,
 Wimberly,
 Willis,
 Winn, R. D.
 Wofford.

Those voting in the negative were Messrs.—

Bass,
 Brown,
 Burnett,
 Bryan,
 Boyd,
 Camp,
 Clark,
 Conley,
 Cooper,
 Crane,
 Creech,
 Davis of the 23d,
 Denton,
 Edge,
 Fontaine,
 Gay,
 Guerard,
 Graham,
 Gibbs,
 Greer of the 13th.

Lawson,
 Mattox,
 McIntosh,
 McLeod,
 Mosely,
 Phillips of the 36th,
 Polk,
 Reese of the 28th,
 Respass,
 Rogers,
 Rosser,
 Roberts,
 Sapp,
 Sanders,
 Sanford,
 Seward,
 Scott of the 30th,
 Shepherd,
 Toombs,
 Twitty,

Hamilton of the 42d,	Thompson,
Harrell,	Tharpe,
Hansell,	Underwood of the 31st
Henry,	Underwood of the 32d
Horne,	Warren of the 23d,
Jackson,	Wells,
Keller,	Williams,
Knight,	Wilson,
Lawton,	Winn, L. J.

Yeas, 106.

Nays, 58.

Mr. Head moved to amend paragraph first, of section sixteen by adding the words: if not a resident of this State, then in the county in which the plaintiff resides.

The motion was agreed to.

Mr. Buchanan moved to strike out, in the first line, first paragraph, section sixteen, the word "tried," and insert the word: brought.

The motion was agreed to.

Mr. Key moved to add the following to the paragraph, to-wit: and in criminal cases, where a party is tried for his life or liberty, if convicted, they shall have the right of appeal, as in civil cases.

Upon motion of Mr. DuBose, the motion to amend was laid on the table.

Mr. Moore moved to amend section eighteen, paragraph one, by adding: but the General Assembly may prescribe any number not less than five to constitute a trial or traverse jury, except in those cases where exclusive jurisdiction is conferred upon the Superior Courts.

The motion to amend was agreed to, and the paragraph, as amended, was adopted.

Mr. Featherston offered the following substitute for paragraph second, section eighteen, to-wit:

The General Assembly shall provide by law for the selection of the most experienced, intelligent, and upright men to serve as grand jurors, and upright and intelligent men to serve as petit jurors in the Superior Courts of this State.

Mr. Cooper offered to amend the paragraph by adding the following: No exemptions from jury duty shall be granted except to officers of the court, post masters, and grain millers.

Mr. Davis, of the Tenth, moved to lay the substitute and the amendment on the table.

The motion was lost.

Mr. Hunt called for the yeas and nays, but the call was not sustained.

Mr. Mynatt called the previous question, which call was sustained, and the original report of the committee was adopted.

Mr. Bristow offered the following as a substitute for paragraph three, section eighteen, to-wit:

The compensation of jurors in each county shall be fixed by the first grand jury empaneled in such county in each year, at a sum not exceeding two dollars per day.

Upon motion of Mr. Boyd, the motion was laid upon the table.

Mr. Tuggle moved to strike out the words "not to exceed one dollar per day."

Upon motion of Mr. Brown, the motion was laid upon the table.

Mr. Greer, of the Twenty-first, moved to amend the third paragraph, eighteenth section, by adding: and no exemption from jury duty shall be granted to military or fire companies.

Mr. Russell, of the Eighteenth, moved to lay upon the table, which motion did not prevail.

Mr. Matthews moved to strike out "one dollar," and insert: two dollars.

Mr. Brown moved to lay the motion of Mr. Matthews on the table, which motion prevailed.

The motion of Mr. Greer, of the Twenty-first District, was lost.

Mr. Ponder moved to strike out the third paragraph of section eighteen.

Mr. Edge moved to lay the motion of Mr. Ponder on the table, which was agreed to.

The third paragraph of section eighteen was agreed to.

Mr. Dell moved to amend paragraph first, section nineteen, by adding, after the word "provide," in the first line, the words: by general law.

Upon motion of Mr. Bristow, the motion to amend was laid on the table.

Section nineteen was agreed to.

Section twenty was agreed to.

Mr. Osborne offered the following as an additional section, to-wit :

No county officer shall receive more than twenty-five dollars per annum for extra services rendered.

Upon motion of Mr. Moore, the motion was laid on the table.

Mr. Boyd offered the following as an additional section, to-wit : The plaintiff in error, in no civil case, carried to the Supreme Court by writ of error, shall be required to pay the costs in the Supreme Court, when he has filed the usual pauper oath in the court below.

Mr. Hill moved to lay the motion on the table, which motion prevailed.

Mr. Lawton moved to reconsider the action of the Convention relating to fixing the salaries of the Judicial and other officers in the report on the Judiciary.

Mr. Ingram moved to lay the motion to reconsider on the table, which motion prevailed.

Upon motion of Mr. Davis, of the Tenth District, the report on the Judiciary, as amended, was adopted.

Mr. Tharpe moved to take up the report on the sale of railroads, which motion was lost.

Mr. Crane moved to take up the report on the Executive Department, to perfect it, which motion prevailed.

Mr. Little moved to strike out the fifteenth paragraph, first section, which motion was lost.

Upon motion of Mr. Gartrell, the fifteenth paragraph, first section, was agreed to.

Mr. Crane offered the following in lieu of the second section, to-wit :

The salary of the Treasurer shall not exceed \$4,000, per annum. The salary of the Secretary of State shall not exceed \$2,800 per annum. The salary of the Comptroller General shall not exceed \$6,000 per annum, and if the wild land office is taken from his charge, then, not to exceed \$5,000. All the clerical salary in each office to be paid, respectively, from these amounts.

Mr. Pierce called for the previous question, which call was not sustained.

Mr. DuBosc moved to strike out the first line up to "Assembly," and insert: \$4,000, which motion was lost.

Mr. Holcombe moved to strike out the section, which was agreed to.

Mr. Brown moved to strike out "\$4,000," in the substitute, and insert: \$3,600, which motion was adopted.

Mr. Guerard moved to lay the whole matter, under consideration, on the table, which motion was lost.

The motion of Mr. Gartrell to strike out prevailed.

The substitutes of Messrs. Featherston and Warren was lost.

Paragraph one, section fifteen, was then adopted.

Mr. Reese, of the Twenty-eight, moved to strike out the fifteenth section.

Upon motion of Mr. Ingram, the motion to strike out was laid on the table.

Mr. Brown moved to strike out in paragraph two, section fifteen, the words "subject to the revision of the court."

The motion was agreed to.

Mr. Hand moved to insert in the first line, second paragraph, between the words "the " and "rights," the word: obligations.

The motion was lost.

Mr. Hammond, of the Thirty-fifth, offered the following as a substitute for the fifteenth section, to-wit:

Divorces shall be final and conclusive when the parties shall have obtained the concurrent verdicts of two juries authorizing a divorce upon such legal principles as the General Assembly may, by law, prescribe. The General Assembly shall not grant any divorce.

The motion was lost.

Section fifteen, as amended, was agreed to.

Mr. Trammell offered the following as a substitute for Mr. Crane's substitute, to-wit:

The salaries of Treasurer and Comptroller shall not exceed \$2,500 per annum, and the salary of Secretary of State shall not exceed \$2,000 per annum.

Mr. Hill moved to lay on the table, which motion prevailed.

Mr. Davis, of the Tenth, called for the previous question, which call was sustained.

Mr. DuBose moved to strike out “\$2,800,” as the salary of Secretary of State, and insert: \$3,000.

Mr. Brown called for the yeas and nays, which call was sustained.

Those voting in the affirmative were Messrs.—

Awbrey,	Matthews,
Bachlott,	Mattox,
Barrow,	McCallum,
Bass,	McFarland,
Buchanan,	Mercier,
Cain,	Mershon,
Casey,	Moore,
Chambers,	Mynatt,
Cooper,	Nisbet,
Creech,	Newell,
Davis of the 23d,	Pace,
Dell,	Paris,
DuBose,	Pierce,
Edge,	Perry,
Ellington,	Porter,
Fain,	Reese of the 28th,
Featherston,	Respass,
Flewellen,	Rosser,
Furman,	Ross,
Guerry,	Rowe,
Gay,	Sanders,
Glover,	Sanford,
Gibbs,	Seward,
Greer of the 13th,	Simmons,
Greer of the 21st,	Scott of the 13th,
Hamilton of the 42d,	Stroud,
Hawkins,	Stokes,
Hansell,	Swanson,
Hammond of the 22d,	Stevens of the 6th,
Hammond of the 35th,	Twitty,
Heard,	Thompson,

Heath,
Hill,
Hollifield,
Hunt,
Ingram,
Jackson,
Jones,
Johnson of the 18th,
Johnson of the 30th,
Keller,
Lawson,
Lofton,
Little,

Tuggle,
Tumlin,
Tharpe,
Warren of the 23d,
Warthen,
Westmoreland,
Wells,
Whiddon,
Wimberly,
Williams,
Winn, R. D.,
Winn, L. J.

Those voting in the negative were Messrs. —

Brannen,
Brown,
Burnett,
Bryan,
Boyd,
Collier,
Clifton,
Clark,
Chancy,
Conley,
Crane,
Davis of the 10th,
Day,
Denton,
Donaldson,
Fields,
Fontaine,
Gartrell,
Guerard,
Graham,
Gorman,
Grace,
Goff,

Jenkins of the 10th,
Johnson of the 42d,
Key,
Knight,
Logino,
May,
McDonald,
McIntosh,
McLeod,
McRea,
Mobley,
Mosely,
Osborne,
Phillips of the 36th,
Ponder,
Polk,
Rogers,
Roberts,
Robertson,
Russell of the 8th,
Sale,
Sapp,
Scott of the 30th,

Hamilton of the 21st,
Harrell,
Hall,
Hand,
Hardy,
Head,
Hewell,
Henry,
Hicks,
Holcombe,
Horne,
Hudson of the 25th,

Spence of the 5th,
Shepherd,
Stevens of the 40th,
Trammell,
Tift,
Underwood of the 31st
Underwood of the 32d
Warren of the 1st,
Wilson,
Willis,
Wofford.

Yeas 87.

Nays 69.

The motion to fix the Secretary of State's salary at not to exceed \$3,000 prevailed.

The substitute fixing the Comptroller General's salary at a sum not to exceed \$6,000, and \$5,000 if the Wild Land Office is taken from his charge, prevailed.

The substitute of Mr. Crane, as amended, was adopted.

Mr. Trammell offered the following substitute for the section, to-wit:

The salary of the Comptroller General shall not exceed \$2,000 per annum; the salary of the Treasurer shall not exceed \$2,000 per annum; the salary of Secretary of State shall not exceed \$1,800 per annum. The clerical expenses of the Treasury Department shall not exceed \$1,600 per annum; the clerical expenses of the Comptroller General's office shall not exceed \$4,500 per annum; the clerical expenses of the office of Secretary of State shall not exceed \$1,200 per annum.

Upon motion of Mr. DuBose, the substitute was laid upon the table.

Upon motion of Mr. Hunt, the Convention adjourned until to-morrow morning, at eight and a half o'clock.

ATLANTA, GEORGIA,
TUESDAY, August 7, 1877.

The Convention met this morning pursuant to adjournment, and was called to order by Mr. Lawton, Vice-President.

Prayer was offered by the Rev. Mr. Underwood, of the Thirty-second District.

Messrs. Key, Featherston, Tuggle, DuBose, Matthews, and Brown gave notice that they would move to reconsider portions of the Journal of yesterday.

Mr. Key moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on the election of Judges by the people.

Upon motion of Mr. Warren, of the First, the motion to reconsider was laid upon the table.

Mr. Featherston moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in rejecting the amendment offered by him in reference to grand and traverse jurors.

The motion prevailed.

Mr. Tuggle moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention up-

on the amendment proposed by him to the third paragraph of section eighteen, relative to the pay of jurors.

Mr. Bachlott moved to lay the motion to reconsider upon the table.

The motion to lay upon the table was lost, and the motion to reconsider was put, and prevailed.

Leave of absence was granted to Messrs. Mershon, Barrett, and Smith.

Mr. DuBose moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on costs in the Supreme Court.

The motion to reconsider prevailed.

Mr. Matthews moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in adopting the amendment of Mr. Moore to the first paragraph of section eighteen.

The motion to reconsider prevailed.

Mr. Brown moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in fixing the salaries of Comptroller General, Secretary of State, and Treasurer.

Mr. Respass moved to lay the motion to reconsider on the table.

The motion to lay upon the table was lost, and the motion to reconsider was put and prevailed.

Mr. Featherston offered the following substitute for paragraph two of section eighteen, which had been reconsidered :

The General Assembly shall provide by law for the selection of the most experienced, intelligent and upright men to serve as grand jurors, and intelligent and upright men to serve as traverse jurors. Nevertheless, the grand jurors shall be competent to serve as traverse jurors.

Mr. Ingram called the previous question.

The call was sustained.

The main question was put, and the substitute received in lieu of the original, and agreed to.

Mr. Hamilton, of the Forty-second, moved to strike out the whole of paragraph three, section eighteen.

Mr. Moore offered the following substitute for the third paragraph :

Provision shall be made, by a general and uniform law, for the compensation of jurors.

Mr. Hunt offered the following substitute for the substitute of Mr. Moore, which was accepted by Mr. Moore :

It shall be the duty of the General Assembly, by general law to provide the manner of fixing compensation of juror in all counties in this State.

The substitute of Mr. Hunt was put, and received in lieu of the original substitute, and agreed to.

Mr. Moore moved to amend by striking out the words "those cases where exclusive jurisdiction is conferred upon," so as to read: but the General Assembly may prescribe any number, not less than five, to constitute a trial or traverse jury, except in the Superior Court.

The amendment was received in lieu of the original, and agreed to.

Mr. Guerard moved to amend the amendment of Mr. Moore, by excepting City Courts, which was agreed to.

Mr. Brown offered the following amendment :

The salary of the Treasurer shall not exceed two thousand dollars; the clerical expenses of his department shall not exceed sixteen hundred dollars per annum. The salary of the Secretary of State shall not exceed two thousand dollars, and the clerical expenses of his department shall not one thousand dollars per annum. The salary of the Comptroller General shall not exceed two thousand dollars, and the clerical expenses of his department, insurance department, including Wild Land clerk, shall not exceed four thousand dollars, and without said clerk it shall not exceed three thousand dollars per annum.

Mr. Pierce moved to amend by striking out “\$2,000 as salary of the Treasurer,” and inserting: \$2,500.

Mr. Holcombe moved to lay the amendment of Mr. Pierce upon the table, which motion prevailed.

Mr. Harrell moved to strike out “\$3,600” and insert: \$2,500, including clerical expenses.

Mr. Crane moved to lay upon the table, which motion prevailed.

Mr. Holcombe called for the previous question.

The call was seconded,

The main question was put, and the amendment of Mr. Brown was put by paragraphs, and received, in lieu of the original, and adopted as a whole.

Mr. DuBose offered the following substitute :

The costs in the Supreme Court shall not exceed ten dollars, until otherwise provided for by law. Plaintiffs in error shall not be required to pay costs in said court, when the usual pauper oath is filed in the court below.

The substitute was taken up and received in lieu of the original, and adopted.

Mr. Hammond offered the following resolution, which, by general consent, was taken up and adopted :

WHEREAS, Robert Yancy and Anthony Graves were appointed by the Secretary, under direction of the President, at the beginning of the session of the Convention, as porters to attend the committee, and to sweep the galleries ; and,

WHEREAS, no provision has been made for the payment of their services ; be it, therefore,

Resolved, That the Treasurer be authorized to pay them one dollar per day, each, for said services.

Mr. Hunt offered the following additional paragraph :

It shall be the duty of the General Assembly, as soon as expedient, to provide for the sale of the Executive Mansion, and the furniture thereof. From and after the time such sale is effected, the salary of the Governor shall be the sum of \$6,000 per annum, and shall receive no other emolument whatever. Until such sale is effected, the salary of the Governor shall remain as elsewhere provided in this Constitution.

Mr. Gartrell moved to adopt the last paragraph of the report of the Committee of Final Revision.

Mr. Brown offered the following amendment to the paragraph :

But the entire clerical expense of the Executive Department, including secretaries, shall not exceed \$8,000 per annum.

Mr. Crane offered the following as a substitute for the amendment of Mr. Brown, which was accepted by Mr. Brown, to-wit:

The Governor shall have power to appoint his own secretaries, not exceeding two in number, and to provide such clerical force as may be required in the Executive Department, provided that the total cost for secretaries and clerical force in that department shall not exceed \$8,000 per annum.

Mr. McDonald moved to amend by striking out "\$8,000" and inserting : \$6,000.

The previous question was called.

The call was seconded, and the amendment of Mr. McDonald was put.

Mr. Tumlin called for the yeas and nays.

The call was sustained, and the vote resulted as follows :

Those voting in the affirmative were Messrs.—

Brannen,	Key,
Bass,	Knight,
Bristow,	Logino,
Burnett,	Mattox,
Bryan,	McDonald,
Boyd,	McIntosh,
Bush,	McFarland,
Camp,	McLeod,
Clifton,	Mercier,
Chancy,	Mosely,

Conley,
Coney,
Creech,
Davis of the 23d,
Day,
Denton,
Ellington,
Furlow,
Glover,
Gorman,
Gibbs,
Grace,
Goff,
Greer of the 13th,
Harrell,
Hall,
Hand,
Hardy,
Head,
Heard,
Henry,
Heath,
Hicks,
Holcombe,
Horne,
Hudson of the 29th,
Jones,
Jenkins of the 10th,
Johnson of the 42d,

Asborne,
Paris,
Phillips of the 36th,
Ponder,
Polk,
Rogers,
Roberts,
Russell of the 8th,
Sale,
Sapp,
Scott of the 13th,
Scott of the 30th,
Spence of the 5th,
Shepherd,
Swanson,
Swearingen,
Stevens of the 6th,
Stevens the of 40th,
Tumlin,
Underwood of the 31st,
Underwood of the 32d,
Warren of the 1st,
Wells,
Williams,
Wilson,
Willis,
Wright,
Wofford.

Those voting in the negative were Messrs.—

Bachlott,
Barrow,
Brown,
Buchanan,
Cain,

Keller,
Lawson,
Lofton,
Little,
Lewis,

Casey,
Carter,
Collier,
Clark,
Chambers,
Coats,
Cooper,
Crane,
Davis of the 10th,
Dell,
Dismuke,
Donaldson,
DuBose,
Edge,
Fain,
Featherston,
Flewellen,
Fields,
Fitten,
Fontaine,
Furman,
Gartrell,
Guerry,
Gay,
Graham,
Greer of the 21st,
Hamilton of the 21st,
Hamilton of the 42d,
Hawkins,
Hansell,
Hammond of the 22d,
Hammond of the 35th,
Harris,
Hewell,
Hill,

May,
Matthews,
McCallum,
McRea,
Moblely,
Moore,
Mynatt,
Nisbet,
Newell,
Pace,
Pierce,
Perry,
Pbillips of the 18th,
Porter,
Reese of the 28th,
Respass,
Rosser,
Robertson,
Ross,
Rowe,
Russell of the 1st,
Sanders,
Sanford,
Seward,
Simmons,
Stokes,
Spence of the 35th,
Toombs,
Trammell,
Tift,
Tye,
Twitty,
Thompson,
Tharpe,
Warren of the 23d,

Howell,	Wallace,
Hollifield,	Warthen,
Hunt,	Wellborn,
Hudson of the 25th,	Westmoreland,
Ingram,	Whiddon,
Jackson,	Wimberly,
Johnson of the 18th,	Winn, R. D.
Johnson of the 30th,	Winn, L. J.

Yeas 77.

Nays 96.

So the amendment was lost.

The substitute of Mr. Crane was put and agreed to, and adopted in lieu of the original paragraph.

The Chair ruled that the proposed additional paragraph of Mr. Hunt was out of order.

Mr. Hunt appealed from the decision of the Chair, and the Chair was sustained by the Convention.

Mr. Gartrell moved to adopt the entire report of the Committee, as amended.

The motion prevailed.

Mr. Holcombe moved to take up the report of the Committee of Final Revision on Finance, which motion prevailed.

Mr. Reese, of the Twenty-eighth District, offered the following amendment, by adding, after the words "for educational purposes," the words: in instructing children in the elementary branches of an English education only.

Mr. Russell, of the Eighth District, moved to lay upon the table, which motion did not prevail.

Mr. Fontaine called the previous question.

The call was not sustained.

Mr. Hansell moved to postpone further consideration of this line of the paragraph in reference to taxation for educational purposes, and the amendment of Mr. Reese, until the report of the Committee on Education shall have been reached.

The motion prevailed.

The first section was agreed to with the exception of the subject of taxation for educational purposes.

Mr. Wofford moved to add the following as an additional section :

That the property of Confederate soldiers, and the widows of Confederate soldiers, to the amount of five hundred dollars, shall be exempt from taxation.

Upon motion of Mr. Robertson, the time of Mr. Wofford was extended ten minutes.

Mr. Pierce moved to lay the additional section on the table, which motion prevailed.

Mr. Toombs moved to add the following to the first section of the report : And also a sufficient sum to supply the soldiers who lost a limb or limbs in the military service of the Confederate States with good, substantial, artificial limbs during life, and such other aid as the Legislature may deem wise and just.

Mr. Hill moved to amend by striking out the words "and such other aid as the Legislature may deem wise and just."

The motion prevailed.

The amendment of Mr. Toombs was put and prevailed.

Mr. Mynatt moved to amend the first paragraph of section two, as follows : by inserting the words : subject to be taxed, between the words "property" and "within," in the second line.

The motion prevailed.

Mr. L. D. Winn moved to amend paragraph first, section second, by adding : there shall be no tax on incomes nor sales.

Mr. Dismuke moved to lay upon the table, which motion prevailed.

Mr. Moore moved to insert after the words "general laws," in the third line, the following:

The General Assembly, however, may impose a tax upon such domestic animals as, from their nature and habits, are destructive of other property, and also upon the sale of such deadly weapons as may be carried concealed, and in any other case where the imposition of such a tax would increase the security of life or property.

Mr. Hudson, of the Twenty-ninth, asked for a division of the question, and the motion to tax animals destructive of property, was put and agreed to.

Mr. Hudson, of the Twenty-ninth, moved to strike out the second portion of the amendment.

The motion did not prevail.

Mr. Matthews moved to strike out all after the word "concealed weapons."

The motion prevailed.

Mr. Warren offered the following amendment, which was accepted by Mr. Moore, to wit: and also upon such deadly weapons as may be carried concealed.

Mr. DuBose moved to indefinitely postpone the amendment of Mr. Warren.

The motion prevailed.

Mr. Hudson, of the Twenty ninth, called the previous question.

The call was sustained, and the section, as amended, was agreed to.

Mr. Hill, moved to amend paragraph second, by adding after "worship," the words: where the ground and improvements do not exceed in value the sum of ten thousand dollars; and when the value is in excess of that sum, only the excess shall be taxed.

Mr. Gartrell moved to lay the amendment upon the table, which motion prevailed.

Mr. Holcombe moved to amend paragraph second, by inserting after the word "taxation:" \$25.00, of household and kitchen furniture.

Mr. Hill moved to amend the amendment by striking out "\$25.00," and inserting: \$100.00.

The motion did not prevail.

Mr. Robertson moved to lay the amendment upon the table, which motion prevailed.

Mr. Hand moved to amend, by striking out the words "or religious worship."

Mr. Hudson, of the Twenty-ninth, moved to lay upon the table, which motion prevailed.

Mr. Collier moved to add to the section the following words: All private and family libraries shall be exempt from taxation.

Mr. DuBose called for the previous question.

The call was seconded, and the amendment of Mr. Collier was put and lost.

By general consent, Mr. Hill offered the following amendment, by striking out the words: "of any company or association kept in a public hall."

Mr. Hill called for the yeas and nays.

The call was not seconded, and the motion was lost.

Paragraph two was agreed to.

Mr. Hunt moved to adjourn, which motion prevailed, and the Convention adjourned until to morrow at half-past eight o'clock.

ATLANTA, GEORGIA,
WEDNESDAY, August 8, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by the Rev. Mr. Edge, of the Twenty-first District.

Messrs. Johnson, of the Thirtieth District, McDonald, Hunt, Wofford, DuBose, Twitty, and Collier, moved to reconsider certain portions of the Journal of yesterday.

Mr. Grace moved to suspend the regular order of business for the purpose of taking up a resolution.

The motion prevailed, and the resolution was read, as follows :

Resolved, That after this date the Convention shall hold two sessions each day, as follows : Assemble at eight and a half A. M. ; adjourn at one P. M. Assemble at four P. M. ; adjourn at six and a half P. M.

Mr. Holcombe moved to amend by meeting at eight and a half o'clock, and adjourning at three o'clock.

Mr. Lewis moved to lay the resolution on the table, which motion prevailed.

Mr. Johnson, of the Thirtieth District, moved to reconsider so much of the Journal of yesterday as relates to the action of the Convention on pauper affidavits in the Supreme Court.

Mr. Boyd raised a point of order, that this subject having been reconsidered on yesterday, it would not be in order to move a second reconsideration.

Mr. Johnson withdrew his motion.

Mr. McDonald moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on the expenses of the Executive Department.

Mr. Crane moved to lay the motion to reconsider on the table.

Mr. McDonald called for the yeas and nays.

The call was sustained, and resulted as follows :

Upon motion, Mr. Guerard was excused from voting on this question.

Those voting in the affirmative are Messrs.—

Barrow,	McCallum,
Buchanan,	McRea,
Cain,	Mobley,
Casey,	Mynatt,
Chambers,	Nisbet,
Coats,	Newell,
Crane,	Pace,
Davis of the 10th,	Pierce,
Dismuke,	Perry,
DuBose,	Phillips of the 18th,
Edge,	Reese of the 28th,
Flewellen,	Rosser,
Fitten,	Rogers,
Fontaine,	Robertson,
Furman,	Ross,
Guerry,	Russell of the 1st,
Greer of the 21st,	Sanders,
Hamilton of the 21st,	Sanford,
Hansell,	Seward,
Hammond of the 22d,	Simmons,
Hammond of the 35th,	Stokes,
Harris,	Spence of the 35th,
Hewell,	Stroud,
Hill,	Trammell,
Hollifield,	Tift,
Hudson of the 25th,	Tye,
Ingram,	Thompson,
Jackson,	Tuggle,
Jones,	Tharpe,
Johnson of the 18th,	Wallace,
Johnson of the 30th,	Warthen,
Keller,	Wellborn,

Lawton,
Lawson,
Lofton,
Little,
Lewis,
May,
Matthews,

Westmoreland,
Wells,
Whidden,
Wimberly,
Winn, R. D.
Winn, L. J.

Those voting in the negative are Messrs.—

Awbrey,
Bachlott,
Barrett,
Brannen,
Braddy,
Bass,
Bristow,
Brown,
Burnett,
Bryan,
Boyd,
Bush,
Camp,
Carter,
Collier,
Clifton,
Clark,
Chancy,
Conley,
Coney,
Cooper,
Creech,
Davis of the 23d,
Day,
Dell,
Denton,
Dickey,

Hicks,
Holcombe,
Horne,
Hunt,
Hudson of the 29th,
Jenkins of the 10th,
Johnson of the 19th,
Johnson of the 42d,
Key,
Knight,
Lowe,
Logino,
Mattox,
McDonald,
McIntosh,
McFarland,
McLeod,
Mercier,
Mosely,
Moore,
Osborne,
Paris,
Phillips of the 36th,
Ponder,
Polk,
Render,
Respass,

Donaldson,	Roberts,
Ellington,	Rowe,
Fain,	Russell of the 8th,
Fields,	Sale,
Furlow,	Sapp,
Gartrell,	Scott of the 13th,
Gay,	Scott of the 30th,
Glover,	Spence of the 5th,
Graham,	Shepherd,
Gorman,	Swanson,
Gibbs,	Swearingen,
Grace,	Stevens of the 6th,
Goff,	Stevens of the 40th,
Greer of the 13th,	Twitty,
Hamilton of the 42d	Tumlin,
Harrell,	Underwood of the 31st
Hawkins,	Underwood of the 32d,
Hall,	Warren of the 1st,
Hand,	Williams,
Hardy,	Wilson,
Head,	Willis,
Heard,	Wright.
Henry,	Wofford.
Heath,	

Yeas, 77.

Nays, 101.

So the motion to lay upon the table was lost.

Mr. Respass called the previous question.

The call was seconded, and the motion to reconsider was put, and prevailed.

Mr. Hunt withdrew his motion to reconsider.

Mr. Wofford moved to reconsider so much of the Jour-

nal of yesterday as refers to the action of the Convention upon his proposed additional section to exempt \$500 worth of property of Confederate soldiers.

Mr. Russell called the previous question.

The call was seconded, and the motion to reconsider was put, and prevailed.

Mr. Dismuke moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on section two, paragraph two, of the report on Taxation, etc.

Mr. Warren moved to lay the motion to reconsider upon the table, which motion prevailed.

Mr. Twitty moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention upon the proposed amendment of Mr. Holcombe, to exempt from taxation twenty-five dollars worth of household and kitchen furniture.

Mr. Warren, of the First, moved to lay the motion to reconsider upon the table, which motion prevailed.

Mr. Collier moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention upon his proposed amendment to exempt private libraries from taxation.

Mr. Ingram moved to lay the motion to reconsider upon the table.

Mr. Collier called for the yeas and nays.

The call was not sustained.

The motion to lay upon the table was put, and prevailed.

Mr. McDonald moved to strike out “\$8,000,” and insert: \$6,000, in the expenses of the Executive Department, which had been reconsidered.

Mr. DuBose moved to amend by striking out “\$8,000,” and inserting: \$7,000.

Mr. Brown moved to amend, by adding: to take effect after the first of January.

Mr. Russell, of the Eighth, called the previous question

The called was seconded, and the motion to strike out \$8,000, and insert \$6,000, was put, and prevailed.

The yeas and nays were called.

The call was not sustained.

The report of the committee, as amended, was agreed to.

The following additional paragraph, of Mr. Wofford, was taken up, to wit:

The property of maimed and disabled Confederate soldiers, the widows and minor orphans of Confederate soldiers, to the amount of \$500, be exempt from taxation, and that the General Assembly shall provide by law for carrying out this provision.

Mr. Brown moved to amend by adding: and of all blind persons.

Mr. Newell proposed to add: *Provided*, That no books, paintings, or statuary shall be included in said exemption.

The amendment of Mr. Brown was put and lost.

The motion of Mr. Newell was put and lost.

Mr. Pierce moved to amend by striking out the words "to the amount of \$500."

Mr. Wallace moved to amend by adding: where their taxable property does not exceed that sum.

Withdrawn.

Mr. Hewell called the previous question.

The call was seconded, and the amendment of Mr. Pierce was put and lost.

The motion of Mr. Wofford was put.

The yeas and nays were called for.

The call was not sustained, and the amendment of Mr. Wofford was lost.

Leave of absence was granted to Mr. Warren, of the Twenty third District.

Paragraph third, of section second, was agreed to.

Mr. Dismuke moved to amend the fourth paragraph, by adding the following:

And it shall be the duty of the General Assembly to provide, by law, for the appointment, or election, of two or more assessors for each county, to assess and equalize the value of taxable property thereof.

Mr. Holcombe moved to lay the amendment upon the table, which motion prevailed.

Mr. Key moved to amend the fourth paragraph, by adding: unless passed by a two-thirds vote of the General Assembly.

Mr. Hand moved to lay the amendment of Mr. Key upon the table, which motion prevailed.

The fourth paragraph was agreed to.

The fifth paragraph was agreed to.

The first paragraph, of section three, was agreed to.

The first paragraph, of section four, was agreed to.

Mr. Brown moved to amend section five, by adding the following:

But nothing in this Constitution shall be so construed as to prevent the State from using the proceeds of the penitentiary, or of the convict labor, for the purpose of developing the resources thereof, by loaning the same to any railroad, turnpike or canal company, provided the money so loaned shall be amply secured, the security to be judged of by the General Assembly.

Mr. Brown having occupied the full time allowed under the rules limiting debate, Mr. Warren, of the first, moved to extend the time of Mr. Brown indefinitely, which motion prevailed.

Upon motion, the time of Mr. Toombs was also extended indefinitely.

Mr. Buchanan offered the following substitute for the amendment of Mr. Brown:

The General Assembly shall have no power to grant or authorize the making of any grant of public money, or anything of value, to any individual, or association of individuals, or corporation whatsoever.

Mr. Davis moved to add the following:

But nothing in this Constitution shall prevent the Legislature from authorizing the convict labor to be used upon works of internal improvement in this State.

Mr. Johnson, of the Thirtieth, moved that the substitute and all amendments to it be laid upon the table, which motion prevailed.

Section fifth was agreed to.

Mr. Davis offered his amendment as an independent section.

Mr. Dismuke moved to lay upon the table, which motion prevailed.

Mr. Hammond moved to amend paragraph one of section sixth, by striking out the words "obtained or," from the third line, which motion prevailed.

Mr. Bristow moved to amend the first paragraph of section six, by inserting the words: educational and, after the word 'for,' in the third line.

Mr. Underwood, of the Thirty-first, moved to lay on the table, which motion was lost.

Mr. Bristow withdrew his amendment.

Mr. Hunt moved to amend paragraph one of section six, by adding the words: but this paragraph shall not be so construed as to prohibit any county in this State from levying a tax for the common school fund.

Upon motion the amendment was laid upon the table.

Mr. Moore moved to amend by striking out the word "appropriate," and insert the word: give.

Mr. Little moved to amend by inserting the words : educational and, in the third line.

Mr. Matthews moved to lay the two last amendments on the table, which motion prevailed.

Mr. McDonald moved that when the Convention adjourns it shall adjourn to meet at four o'clock.

The yeas and nays were called.

The call was seconded, and the vote resulted as follows :

Those voting in the affirmative were Messrs.—

Anderson,
Awbrey,
Bachlott,
Brannen,
Braddy,
Buchanan,
Burnett,
Casey,
Camp,
Clifton,
Coney,
Cooper,
Creech,
Davis of the 10th,
Denton,
Donaldson,
DuBose,
Ellington,
Featherston,
Flewellen,
Fields,
Furman,

Johnson of the 19th,
Johnson of the 30th,
Key,
Logino,
Mattox,
McDonald,
McIntosh,
Mobley,
Moore,
Newell,
Paris,
Phillips of the 18th,
Phillips of the 36th,
Polk,
Render,
Rosser,
Roberts,
Rowe,
Sale,
Sapp,
Sanford,
Seward,

Gartrell,	Scott of the 30th,
Gay,	Spence of the 5th,
Glover,	Spence of the 35th,
Graham,	Swanson,
Gibbs,	Stevens of the 6th,
Grace,	Stevens of the 40th,
Goff,	Tye,
Greer of the 13th,	Tuggle,
Hamilton of the 42nd,	Warren of the 1st,
Harris,	Wallace,
Hall,	Wellborn,
Hardy,	Wells,
Hewell,	Williams,
Heath,	Wilson,
Hicks,	Willis,
Horne,	Wright,
Ingram,	Winn, R. D.
Johnson of the 18th,	Wofford.

Those voting in the negative were, Messrs.—

Barrow,	Jones,
Bass,	Jenkins of the 10th,
Bristow,	Johnson of the 42d,
Brown,	Keller,
Boyd,	Lawton,
Bush,	Lawson,
Cain,	Lofton,
Carter,	Little,
Collier,	Lewis,
Clark,	Lowe,
Chambers,	May,
Chancy,	Matthews,
Coats,	McCallum,
Crane,	Mercier,
Day,	Mosely,

Dell,
Dickey,
Dismuke,
Edge,
Fain,
Fontaine,
Furlow,
Guerry,
Guerard,
Gorman,
Greer of the 21st,
Hamilton of the 21st,
Harrell,
Hawkins,
Hansell,
Hammond of the 22d,
Hammond of 35th,
Hand,
Head,
Heard,
Henry,
Hill,
Holcombe,
Hollifield,
Hunt,
Hudson of the 25th,
Hudson of the 29th,
Jackson,

Mynatt,
Nisbet,
Pace,
Pierce,
Perry,
Ponder,
Reese of the 28th,
Rogers,
Robertson,
Ross,
Russell of the 1st,
Sanders,
Simmons,
Scott of the 13th,
Stokes,
Stroud,
Toombs,
Trammell,
Tift,
Twitty,
Thompson,
Tumlin,
Underwood of the 31st
Underwood of the 32d
Warthen,
Westmoreland,
Winn, L. J.

Yeas, 80.

Nays, 85.

So the motion was lost, and the Convention was declared adjourned until to-morrow morning at eight and a half o'clock.

ATLANTA, GEORGIA,
THURSDAY, August 9, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by Rev. Mr. Coats, of the Twenty-first District.

Messrs. Wellborn, Davis and Hansell gave notice that they would move to reconsider certain portions of the Journal.

Mr. Wellborn moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in rejecting the amendment proposed by Mr. Brown, to the sixth section of the report on Finance, etc.

Mr. Pierce moved to lay the motion to reconsider upon the table.

The motion prevailed.

Mr. Davis moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in rejecting the additional section proposed by him to the report on Finance, Taxation and Public Debt.

The motion to reconsider was lost.

Mr. Hansell withdrew his motion to reconsider.

Mr. Edge moved to suspend the order of business for the purpose of considering a motion to change the hours of meeting and adjournment.

The motion was lost.

Leave of absence was granted to Messrs. Roberts, Howell, Goff, and Porter.

Mr. Hunt offered an additional rule, which was referred, without reading, to the Committee on Rules.

The unfinished business was resumed.

Mr. Little moved to amend paragraph one of section six by adding, as follows :

This restriction shall not operate to prevent the support of schools by municipal corporations, within their respective limits.

Mr. Knight moved to lay the amendment on the table. The motion was lost.

Mr. Mynatt moved to amend by striking out the words "or appropriate money for," in the third line, and the words "except for purely charitable purposes," in the fourth line.

Mr. Day moved, as an amendment of Mr. Little, the following :

To exempt the property of non-residents from taxation for city school purposes.

Mr. Crane moved to lay the amendment on the table, which was agreed to.

The amendment of Mr. Little was put.

Mr. Scott, of the Thirteenth District, called for the yeas and nays.

The call was not sustained.

The amendment was agreed to.

The amendment of Mr. Mynatt was withdrawn.

The first paragraph of section six was agreed to.

Mr. Reese of the Twenty-eighth District, moved to amend paragraph two of section six, as follows:

By inserting, after the word "purposes," in the second line, the words: in instructing children in the elementary branches of an English education only.

Mr. Scott, of the Thirteenth District, moved to amend the paragraph by striking out the words "for educational purposes," in the second line.

Mr. Matthews having occupied the full time allowed in the rules limiting debate, Mr. Hunt moved that his time be extended, which motion prevailed.

Mr. Fontaine moved to postpone further consideration of paragraph two of section six until the report on Education shall have been reached.

The motion was lost.

Mr. R. D. Winn called the previous question.

The call was sustained, and the amendment of Mr. Reese was put and agreed to, and the paragraph, as amended, was adopted.

Mr. Mynatt moved to amend paragraph one of section seven, as follows: by striking out, in the fourth line, the words "or increase its indebtedness to any amount exceeding two," and inserting in lieu thereof the words: except for a temporary loan or loans to supply casual deficiencies of revenue, not to exceed one-fifth of one per cent.

The motion prevailed.

The first paragraph of section seven was agreed to as amended.

Mr. Warren, of the First, moved to amend in the second line of the second paragraph by inserting : bonded, before the word " indebtedness."

The motion prevailed.

The second paragraph of section seven, as amended, was agreed to.

The first paragraph of section eight was agreed to.

The first paragraph of section nine was agreed to.

The first paragraph of section ten was agreed to.

Mr. Seward moved to amend paragraph one of section eleven, as follows: by adding after " Confederate States," in the eighth line, the words : except in cases for civil service heretofore presented to the General Assembly for payment ; also, by adding, in the eleventh line, after the word " obligation," the words : except in the cases above stated.

Mr. Scott, of the Thirteenth District, moved to lay upon the table, which motion prevailed.

Mr. Jenkins, of the Eighteenth, moved to strike out the first paragraph and insert in lieu thereof the following :

The General Assembly shall, at its first session after the ratification of this Constitution, provide by law for the investigation and adjudication by the Supreme Court of the State of Georgia, of outstanding claims of indebtedness by the State of Georgia to individuals or corporations upon legal and well established equitable principles ; *Provided,*

that the decision shall be final and conclusive between the State of Georgia and the claimants, whose consent thereto shall be established by their presentation of their claims to said Supreme Court ; *and, provided further*, that the said General Assembly may, by like provision of law, prescribe the manner and time in which any such claims adjudicated against the State of Georgia shall be paid, so that the time of payment shall not exceed thirty years, with semi-annual payment of a fair rate of interest.

Mr. Underwood, of the Thirty-first District, moved to lay the amendment upon the table, which motion did not prevail.

Upon motion of Mr. Holcombe, the time of Mr. Jenkins was extended indefinitely.

Upon motion of Mr. Holcombe, the time of Mr. Toombs was also extended.

Mr. Boyd moved to lay the amendment upon the table.

Mr. Hand called for the yeas and nays.

The call was sustained, and the vote resulted as follows :

Those voting in the affirmative were Messrs.—

Anderson,
Awbrey,
Bachlott,
Barrett,
Barrow,
Brannen,
Braddy,
Bass,
Bristow,
Buchanan,
Burnett,

Johnson of the 42d,
Key,
Keller,
Knight,
Lawson,
Lofton,
Little,
Lewis,
Lowe,
Logino,
May,

Hill,
Johnson of the 18th,
Lawton,
Perry,
Respass,

Tift,
Wallace,
Wimberly,
MR. PRESIDENT.

Yeas, 167.

Nays, 15.

So the motion to lay upon the table prevailed.

Mr. Warren of the first, moved the adoption of the paragraph, as reported by the committee.

Mr. Holcombe called the previous question.

The call was sustained, and the first paragraph of section eleven, was agreed to.

Mr. Harrell offered the following as an additional paragraph, to-wit :

The General Assembly shall not pass any law, or the Governor, or any other State official, enter into any contract or agreement, whereby the State shall be made a party in any court of this State, or of the United States, to test the State's liability on any contract whatever.

Upon motion of Mr. Holcombe, the proposed amendment was laid upon the table.

Mr. Mynatt moved to amend paragraph first, of section twelve, as follows : strike out all after the word "except," in the first line, and insert the words: to repel invasion, suppress insurrection, and defend the State in time of war.

The motion prevailed.

The first paragraph of section twelve, was agreed to, as amended.

Mr. Gartrell moved to strike out the whole of paragraph first, of section thirteen.

The motion to strike out prevailed.

Mr. Holcombe moved to strike out paragraph second, of the thirteenth section.

The motion prevailed.

Mr. Hammond, of the Thirty-fifth, moved to strike out the whole of the fourteenth section.

Mr. Jenkins, of the Eighteenth, moved to amend the fourteenth section, by adding the following :

Provided, That the proceeds of the sale of the Western and Atlantic Railroad shall be applied to the payment of the bonds for which said railroad has been mortgaged, in preference to all other bonds.

The amendment was put and prevailed.

The motion of Mr. Hammond was put and lost.

The fourteenth section, as amended, was agreed to.

Mr. Hammond, of the Thirty-fifth, moved to add to the fifteenth section, the following :

Provided, This section shall not take effect until the eight per cent. currency bonds, issued under the act of 19th of February, 1873, shall have been paid.

The amendment of Mr. Hammond was put and prevailed.

Mr. Willis moved to amend paragraph one, by striking out the first sentence, and inserting the following :

The rental, or proceeds of the State Road, shall be set apart as a sinking fund, and shall be applied to the payment of the bonded indebtedness of the State, and to no other purpose, so long as the State has any existing bonded debt.

Mr. Robertson moved to lay the amendment upon the table.

Mr. Mattox called for the yeas and nays.

The call was sustained, and the vote resulted as follows :

Those voting in the affirmative were, Messrs. :

Awbrey,	Key,
Bachlott,	Keller,
Barrow,	Lawton,
Braddy,	Lawson,
Bass,	Lofton,
Bristow,	Little,
Buchanan,	Low,
Burnett,	May,
Boyd.	Matthews,
Bush,	McFarland,
Cain,	Mershon,
Clifton,	Mobley,
Chambers,	Moore,
Chancy,	Mynatt,
Coney,	Nisbet,
Crane,	Newell,
Davis of the 10th,	Pace,
Day,	Paris,
Dell,	Perry,
Denton,	Phillips of the 18th,

Donaldson,
 DuBose,
 Ellington,
 Featherston,
 Flewellen,
 Fitten,
 Fontaine,
 Gartrell,
 Gay,
 Guerard,
 Gignillatt,
 Gorman,
 Gibbs,
 Grace,
 Greer of the 13th,
 Hawkins,
 Hansell,
 Hammond of the 22d,
 Hammond of the 35th,
 Harris,
 Head,
 Hewell,
 Henry,
 Hicks,
 Hill,
 Hollifield,
 Hunt,
 Hudson of the 25th,
 Hudson of the 29th,
 Ingram,
 Jones,
 Jenkins of the 10th,
 Johnson of the 18th,
 Johnson of the 19th,

Ponder,
 Polk,
 Reese of the 28th,
 Reese of the 29th,
 Respass,
 Rosser,
 Robertson,
 Rowe,
 Russell of the 8th,
 Sale,
 Sapp,
 Sanford,
 Seward,
 Stokes,
 Spence of the 35th,
 Swearingen,
 Smith,
 Stephens of the 40th,
 Tift,
 Tye,
 Twitty,
 Thompson,
 Tuggle,
 Tumlin,
 Underwood of the 32d,
 Warthen,
 Welborn,
 Whiddon,
 Wimberly,
 Williams,
 Wilson,
 Winn, R. D.
 Winn. L. J.
 Warren of the 1st,
 MR. PRESIDENT.

Those voting in the negative were Messrs :

Anderson,	Johnson of the 42d,
Barrett,	Knight,
Brannen,	Lewis,
Brown,	Logino,
Bryan,	Mattox,
Casey,	McDonald,
Camp,	McCallum,
Carter,	McIntosh,
Clark,	McLeod,
Conley,	McRea,
Coats,	Mercier,
Cooper,	Mosely,
Creech,	Osborne,
Davis of the 23d,	Pierce,
Dickey,	Phillips of the 36th,
Edge,	Render,
Field,	Rogers,
Furman,	Roberts,
Furlow,	Ross,
Guerry,	Scott of the 13th,
Glover,	Scott of the 30th,
Graham,	Spence of the 5th,
Greer of the 21st,	Shepherd,
Hamilton of the 21st,	Swanson,
Hamilton of the 42d,	Toombs,
Harrell,	Trammell,
Hall,	Tharpe,
Hand,	Underwood of the 31st
Hardy,	Wallace,
Heard,	Westmoreland,
Holcombe,	Wells,
Horne,	Willis,
Jackson,	Wright,

Johnson of the 30th, Wofford.

Yeas, 109.

Nays, 69.

So the motion to lay upon the table prevailed.

Mr. Brown moved to amend section fifteen by inserting after the word "purchased," in the fifth line, the words : at or below par.

The motion prevailed.

Mr. Cooper moved to amend by adding the following proviso :

Provided, The tax to raise the one hundred thousand dollars shall not be levied until all the property of the State is sold, and the proceeds thereof applied to the payment of the public debt.

Mr. Brown moved to lay upon the table, which prevailed.

Mr. Wallace moved to amend, as follows :

Strike out all after "whatever," in the fourth line, and insert: if the bonds cannot, at any time, be purchased at par then the sinking fund herein provided for, together with any other surplus in the treasury, may be loaned by the Governor and Treasurer of the State, provided the security which may be accepted for said loan shall consist only of the valid bonds of the State, or of the United States.

The motion was lost.

Mr. Matthews moved to amend by adding as follows :

And any other fund directed by this Constitution to be applied to the payment of the bonded debt of the State.

Mr. Holcombe moved to lay the amendment upon the table, which motion prevailed.

Mr. Tift offered the following addition to the section :

Whenever bonds of the State shall be issued to retire any part of the present bonded debt of the State, they shall contain a proviso that the State may pay said bonds at any time after five years, at the option of the State.

Mr. Pierce called the previous question, which was sustained, and the amendment of Mr. Tift was put and lost.

Section fifteen, as amended, was agreed to.

Leave of absence was granted Mr. Collier.

Section sixteen was agreed to.

The first paragraph of section seventeen was agreed to.

The second paragraph was agreed to.

Mr. Little moved to amend paragraph first, of section eighteen, as follows : by adding in seventh line, after " bidders," the words : being a citizen, or citizens of this State. Also, by adding, at the conclusion of the paragraph, the words : within the limits of this State.

Mr. Fontaine offered the following :

No member of the Legislature, or other State officer, shall be interested, either directly or indirectly, in any such contract.

Mr. Underwood, of the Thirty-first, moved to lay the motion of Mr. Little on the table.

The motion prevailed.

Mr. Russell, of the Eighth, moved to lay the amendment of Mr. Fontaine on the table.

The motion was lost.

The motion of Mr. Fontaine was put, and prevailed.

Mr. Hammond moved to strike out the section as amended.

Mr. Ingram moved to lay the motion of Mr. Hammond upon the table, which motion prevailed.

Mr. Trammell moved to amend as follows : by inserting the word : public, in fifth line, before the word " printing," and striking out the words " of laws and journals, and of all the printing of the Executive Department."

The motion prevailed.

The first paragraph of section eighteen, was agreed to, as amended.

Upon motion of Mr. Gartrell, the report was laid upon the table for further consideration.

Mr. Toombs, Chairman of the Committee of Final Revision, submitted the following report on the Legislative Department, which, under the rules, was laid upon the table, to-wit :

SECTION 1. The Legislative power of the State shall be

vested in a General Assembly, which shall consist of a Senate and House of Representatives.

SEC. 2. The State shall be divided into nine Senatorial Districts, composed and numbered, respectively, as follows, and there shall be five Senators from each of said Districts, making the whole number forty-five :

2. The First Senatorial District shall be composed of the counties of Appling, Bryan, Bulloch, Burke, Camden, Charlton, Chatham, Clinch, Echols, Effingham, Emanuel, Glynn, Liberty, McIntosh, Pierce, Screven, Tatnall, Ware and Wayne.

3. The Second Senatorial District shall be composed of the counties of Baker, Berrien, Brooks, Calhoun, Clay, Colquitt, Decatur, Dougherty, Early, Lowndes, Miller, Mitchell, Quitman, Randolph, Terrell, Thomas and Worth.

4. The Third Senatorial District shall be composed of the counties of Coffee, Dodge, Dooly, Irwin, Lee, Macon, Montgomery, Pulaski, Schley, Stewart, Sumter, Taylor, Telfair, Webster and Wilcox.

5. The Fourth Senatorial District shall be composed of the counties of Campbell, Carroll, Chattahoochee, Coweta, Douglas, Harris, Heard, Marion, Meriwether, Muscogee, Talbot and Troup.

6. The Fifth Senatorial District shall be composed of the counties Crawford, Clayton, DeKalb, Fayette, Fulton, Henry, Houston, Milton, Monroe, Pike, Spalding and Upson.

7. The Sixth Senatorial District shall be composed of the counties of Baldwin, Bibb, Butts, Jasper, Jones, Laurens, Newton, Putnam, Rockdale, Twiggs, Walton and Wilkinson.

8. The Seventh Senatorial District shall be composed of the counties of Bartow, Catoosa, Chattooga, Cherokee, Cobb, Dade, Floyd, Gordon, Haralson, Murray, Paulding, Polk, Walker and Whitfield.

9. The Eighth Senatorial District shall be composed of the counties of Columbia, Elbert, Glasscock, Greene, Hancock, Hart, Jefferson, Johnson, Lincoln, McDuffie, Oglethorpe, Richmond, Taliaferro, Warren, Washington and Wilkes.

10. The Ninth Senatorial District shall be composed of the counties of Banks, Clarke, Dawson, Fannin, Forsyth, Franklin, Gilmer, Gwinnett, Hall, Habersham, Jackson, Lumpkin, Madison, Morgan, Oconee, Pickens, Rabun, Towns, White and Union.

11. The General Assembly may change these districts after each census of the United States: *Provided*, That neither the number of districts nor the number of Senators from each district shall be increased: *And, provided*, That the districts shall be of equal population, so far as may be practicable.

SEC. 3. The House of Representatives shall consist of one hundred and seventy-five Representatives, apportioned among the several counties as follows, to wit: To the six counties having the largest population, viz.: Chatham, Richmond, Burke, Houston, Bibb, and Fulton, three Representatives each; to the twenty-six counties having the next largest population, viz.: Bartow, Coweta, Decatur, Floyd, Greene, Gwinnett, Harris, Jefferson, Meriwether, Monroe, Muscogee, Newton, Stewart, Sumter, Thomas, Troup, Washington, Clarke Carroll, Cobb, Columbia, Dougherty, Oglethorpe, Pulaski, Talbot, and Wilkes, two Representatives each; and to the remaining one hundred and five counties, one Representative each.

2. The above apportionment may be changed by the General Assembly after each census by the United States Government; but, in no event, shall the aggregate number of Representatives be increased.

SEC. 4. The members of the General Assembly shall be elected for two years.

2. The first election of members of the General Assembly, under this Constitution, shall take place on the first Wednesday in October, 1878, after which, elections for the same shall be held on the same day, biennially, until the day of election is changed by law.

3. The first meeting of the General Assembly after the ratification of this Constitution shall be on the first Wednesday in November, 1878, and biennially thereafter on the same day.

4. A majority of each House shall constitute a quorum to transact business; but a smaller number may adjourn from day to day, and compel the presence of its absent members, as each House may provide.

5. No session of the General Assembly shall continue longer than forty days, unless by a two-thirds vote of each House.

6. No person holding a military commission, or other appointment or office, having any emolument or compensation annexed thereto, under this State, or the United States, or either of them, except Justices of the Peace and officers of the militia, nor any defaulter for public money, or for any legal taxes required of him, shall have a seat in either House; nor shall any Senator or Representative, after his qualification as such, be elected by the General Assembly or appointed by the Governor, either with or

without the advise and consent of the Senate, to any office or appointment having any emolument annexed thereto, during the time for which he shall have been elected.

7. The seat of a member of either House shall be vacated on his removal from the district or county from which he was elected.

SEC. 5. The Senators shall be citizens of the United States, who have attained the age of thirty years, and who shall have been citizens of this State for two years, and for one year resident of the district from which elected.

2. The presiding officer of the Senate shall be styled the President of the Senate, and shall be elected viva voce from the Senators.

3. The Senate shall have the sole power to try impeachments.

4. When sitting for that purpose, the members shall be on oath or affirmation, and shall be presided over by the Chief Justice, or the presiding Justices of the Supreme Court. Should the Chief Justice be impeached, the Senate shall select the Judge to preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

5. Judgments in cases of impeachment shall not extend further than removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit within this State; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment according to law.

SEC. 6. The Representatives shall be citizens of the United States, who have attained the age of twenty-one years, and who shall have been citizens of this State for

one year, and for six months residents of the counties from which elected.

2. The presiding officer of the House of Representatives shall be styled the Speaker of the House of Representatives, and shall be elected vice voce from the body.

3. The House of Representatives shall have the sole power to impeach all persons who shall have been or may be in office.

SEC. 7. All bills for raising revenue, or appropriating money, shall originate in the House of Representatives, but the Senate may propose or concur in amendments, as in other bills.

2. Each House shall be judge of the election, returns, and qualifications of its members, and shall have power to punish them for disorderly behavior, or misconduct, by censure, fine, imprisonment, or expulsion ; but no member shall be expelled, except by a vote of two-thirds of the House from which he is expelled.

3. Each House may punish by imprisonment, not extending beyond the session, any person not a member, who shall be guilty of a contempt by any disorderly behavior in its presence, or who shall rescue, or attempt to rescue, any person arrested by order of either House

4. The members of both Houses shall be free from arrest during their attendance on the General Assembly, and in going thereto, or returning therefrom, except for treason, felony, larceny, or breach of the peace ; and no member shall be liable to answer in any other place for anything spoken in debate in either House.

5. Each House shall keep a Journal of its proceedings, and publish it immediately after its adjournment.

6. The yeas and nays of the members on any question shall, at the desire of one-fifth of the members present, be entered on the Journal.

7. The original Journal shall be preserved after publication, in the office of the Secretary of State, but there shall be no other record thereof.

8. Every bill, before it shall pass, shall be read three times, on three separate days in each House, unless in cases of actual invasion or insurrection.

9. No law or ordinance shall pass which refers to more than one subject matter, or contains matter different from what is expressed in the title thereof.

10. The general appropriation bill shall embrace nothing but appropriations fixed by previous laws, the ordinary expenses of the Executive, Legislative and Judicial Departments of the government, payment of the public debt or interest thereon; and for support of the public institutions and educational interests of the State. All other appropriations shall be made by separate bills, each embracing but one subject.

11. All acts shall be signed by the President of the Senate and the Speaker of the House of Representatives; and no bill, ordinance or resolution, intended to have the effect of a law, which shall have been rejected by either House, shall be again proposed during the same session, under the same or any other title, without the consent of two-thirds of the House by which the same was rejected.

12. No bill shall become a law unless it shall receive a

majority of the votes of all the members elected to each House of the General Assembly, and it shall, in every instance, appear on the Journal.

13. No bill or resolution appropriating money shall become a law unless upon its passage the yeas and nays in each House are recorded.

14. All special or local bills shall originate in the House of Representatives. The Speaker of the House of Representatives shall, within five days from the organization of the General Assembly, appoint a committee, consisting of one from each Congressional District, whose duty shall be to consider, and consolidate, all special and local bills on the same subject, and report the same to the House, and no special or local bill shall be read or considered by the House until the same has been reported by said committee, unless by a two-thirds vote. And no bill shall be consid-

ered, or reported to the House, by said committee, unless the same shall have been laid before it within fifteen days after the organization of the General Assembly, except by a two-thirds vote, also, of the House of Representatives.

15. No money shall be drawn from the treasury, except by appropriation made by law, and a regular statement and account of the receipt and expenditure of all public money shall be published every three months, and, also, with the laws passed by each session of the General Assembly.

16. No local or special bill shall be passed, unless notice of the intention to apply therefor shall have been published in the locality where the matter or the thing to be effected may be situated, which notice shall be at least thirty days prior to the introduction of such bill into the General Assembly, and in the manner to be prescribed by law; the evidence of such notice having been published shall be ex-

hibited in the General Assembly before such act shall be passed.

17. No law or section of the Code shall be amended or repealed by mere reference to its title, or to the number of the section of the Code, but the amending or repealing act shall distinctly describe the law to be amended or repealed, as well as the alteration to be made.

18. The General Assembly shall have no power to grant corporate powers and privileges to private companies, except banking, insurance, railroad, canal, navigation, mining, express, lumber, manufacturing, and telegraph companies; nor to make or change election precincts; nor to establish bridges, or ferries; nor to change names of legitimate children; but it shall prescribe, by law, the manner in which such powers shall be exercised by the courts.

19. The General Assembly shall not authorize the construction of any street passenger railway within the limits of any town or city without the consent of the local authorities.

20. Whenever the Constitution requires a vote of two thirds of either or both Houses for the passing of an act or resolution, the yeas and nays on the passage thereof, shall be entered on the Journal, and all votes on confirmations, or refusals to confirm nominations to office by the Governor, shall be by yeas and nays, and the yeas and nays shall be recorded on the Journal.

21. The General Assembly shall have power to make all laws and ordinances, consistent with this Constitution, and not repugnant to the Constitution of the United States, which they shall deem necessary and proper for the welfare of the State.

22. No provision in this Constitution for a two-thirds

majority of the votes of all the members elected to each House of the General Assembly, and it shall, in every instance, so appear on the Journal.

13. No bill or resolution appropriating money shall become a law unless upon its passage the yeas and nays in each House are recorded.

14. All special or local bills shall originate in the House of Representatives. The Speaker of the House of Representatives shall, within five days from the organization of the General Assembly, appoint a committee, consisting of one from each Congressional District, whose duty shall be to consider, and consolidate, all special and local bills on the same subject, and report the same to the House, and no special or local bill shall be read or considered by the House until the same has been reported by said committee, unless by a two-thirds vote. And no bill shall be consid-

ered, or reported to the House, by said committee, unless the same shall have been laid before it within fifteen days after the organization of the General Assembly, except by a two-thirds vote, also, of the House of Representatives.

15. No money shall be drawn from the treasury, except by appropriation made by law, and a regular statement and account of the receipt and expenditure of all public money shall be published every three months, and, also, with the laws passed by each session of the General Assembly.

16. No local or special bill shall be passed, unless notice of the intention to apply therefor shall have been published in the locality where the matter or the thing to be effected may be situated, which notice shall be at least thirty days prior to the introduction of such bill into the General Assembly, and in the manner to be prescribed by law; the evidence of such notice having been published shall be ex-

hibited in the General Assembly before such act shall be passed.

17. No law or section of the Code shall be amended or repealed by mere reference to its title, or to the number of the section of the Code, but the amending or repealing act shall distinctly describe the law to be amended or repealed, as well as the alteration to be made.

18. The General Assembly shall have no power to grant corporate powers and privileges to private companies, except banking, insurance, railroad, canal, navigation, mining, express, lumber, manufacturing, and telegraph companies; nor to make or change election precincts; nor to establish bridges, or ferries; nor to change names of legitimate children; but it shall prescribe, by law, the manner in which such powers shall be exercised by the courts.

19. The General Assembly shall not authorize the construction of any street passenger railway within the limits of any town or city without the consent of the local authorities.

20. Whenever the Constitution requires a vote of two thirds of either or both Houses for the passing of an act or resolution, the yeas and nays on the passage thereof, shall be entered on the Journal, and all votes on confirmations, or refusals to confirm nominations to office by the Governor, shall be by yeas and nays, and the yeas and nays shall be recorded on the Journal.

21. The General Assembly shall have power to make all laws and ordinances, consistent with this Constitution, and not repugnant to the Constitution of the United States, which they shall deem necessary and proper for the welfare of the State.

22. No provision in this Constitution for a two-thirds

vote of both Houses of the General Assembly shall be construed to waive the necessity for the signature of the Governor, as in any other case, except in the case of the two-thirds vote required to override the veto.

23. Neither House shall adjourn for more than three days, nor to any other place without the consent of the other; and in case of disagreement between the two Houses on a question of adjournment, the Governor may adjourn either or both of them.

SEC. 8. The officers of the two Houses other than the President and the Speaker, shall be a Secretary of the Senate, and Clerk of the House of Representatives, and such assistants as they may appoint; but the clerical expenses of the Senate shall not exceed sixty dollars per day for each session, nor those of the House of Representatives seventy dollars per day, for each session. The Secretary of the Senate, and Clerk of the House of Representatives, shall be required to give bond and security for the faithful discharge of their respective duties.

SEC. 9. The per diem of members of the General Assembly shall be four dollars per day, and ten cents per mile for each mile traveled in going to, and returning from, the Capital.

Mr. Toombs also submitted the following report of the Committee on Laws of General Operation in force in this State, which was laid upon the table, in accordance with the rule:

SECTION 1. As the supreme law: The Constitution of the United States, the laws of the United States in pursuance thereof, and all treaties made under the authority of the United States.

2. As next in authority thereto: This Constitution.

3. In subordination to the foregoing : All the statute and common law of England and of this State, now of force in this State, not inconsistent with this Constitution, shall be and remain of full force and effect, until the same is modified or repealed by the General Assembly.

4. Local and private acts passed for the benefit of counties, cities, towns, corporations and private persons, not inconsistent with the supreme law, nor with this Constitution, and which have not expired nor been repealed, shall have the force of statute law, subject to judicial decision as to their validity when passed, and to any limitations imposed by their own terms.

5. All rights, privileges and immunities which may have vested in, or accrued to, any person or persons, in his, her, or their own right, or in any fiduciary capacity, under, and in virtue of, any act of the General Assembly, or any judgment, decree, or order, or other proceeding of any court of competent jurisdiction, in this State, heretofore rendered, shall be held inviolate by all courts before which they may be brought in question, unless attacked for fraud.

6. All judgments, decrees, orders and other proceedings, of the several courts of this State, heretofore made, within the limits of their several jurisdictions, are hereby ratified and affirmed, subject only to reversal by motion for new trial, appeal, bill of review, or other proceeding, in conformity with the law of force when they were made.

7. The officers of the Government now existing shall continue in the exercise of their several functions until their successors are duly elected, or appointed and qualified : *Provided*, That nothing herein is to apply to any officer whose office may be abolished by this Constitution.

8. The ordinances of this Convention shall have the force

of laws until otherwise provided by the General Assembly.

Mr. Little moved to adjourn until eight o'clock this evening.

Mr. Hansell moved to adjourn until to-morrow morning, at half-past eight o'clock, which motion prevailed, and the Convention adjourned to that hour.

ATLANTA, GEORGIA,
FRIDAY, August 10, 1877.

The Convention met this morning pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by Rev. Mr. Hamilton, of the Forty-second District.

Messrs. Barrow, Wright, Wofford, Wallace, Gignilliatt, and Little gave notice that they would move to reconsider certain portions of the Journal of yesterday.

Mr. Gartrell moved to suspend the rules for the purpose of considering a motion to change the hours of meeting and adjournment.

The motion prevailed.

The resolution was read as follows :

Resolved, That the hours of meeting and adjournment, beginning with to-day, shall be as follows: Meet at 8½ o'clock A.M., and adjourn at 1 P.M.; meet at 4 P. M., and adjourn at 6 P.M.

Mr. Tumlin offered the following substitute :

Meet at 8 o'clock A.M., and adjourn at 12 o'clock M.; meet at 1 o'clock P.M., and adjourn at 7 P.M.

Mr. Tharpe moved to amend, as follows :

Strike out " 8 " and insert : $8\frac{1}{2}$; strike out " 4 " and insert $4\frac{1}{2}$, and strike out " 6 " and insert : $6\frac{1}{2}$.

Mr. Russell, of the Eighth, moved to amend by striking out " $8\frac{1}{2}$ " and inserting : 8 ; striking out " 1 " and inserting : 2 ; striking out " 6 " and inserting : 7.

Mr. Gartrell called the previous question.

The call for the previous question was seconded.

Mr. Tharpe's amendment was put and lost.

Mr. Russell's amendment was put and lost.

The substitute of Mr. Tumlin was put and lost.

The resolution of Mr. Gartrell was agreed to.

Leave of absence was granted to Messrs. McCallum, Russell, of the First, Underwood, of the Thirty-second, Fain, Bryan, Robertson, Roberts, Scott of the Thirteenth, Chancey and Field.

Mr. Russell moved to suspend the order of the day for the purpose of considering a motion to adjourn *sine die*, on Saturday, 18th, at 2 o'clock P. M.

The motion was lost.

Mr. Barrow moved to reconsider so much of the Journal

of yesterday as refers to the action of the Convention on paragraph two of section six.

Mr. Brown moved to lay the motion to reconsider upon the table.

The motion to lay upon the table prevailed.

Mr. Wright moved to reconsider so much of the Journal of yesterday, as refers to the action of the Convention in rejecting the amendment of Mr. Willis, to Par. first, of section fifteenth.

Mr. Wright having occupied the full time allowed by the rule limiting debate, upon motion of Mr. Gartrell, his time was indefinitely extended.

Mr. Ingram moved to lay the motion to reconsider on the table.

The motion prevailed.

Mr. Wofford moved to reconsider so much of the Journal of yesterday, as refers to the action of the Convention in adopting the fifteenth section of the report on finance, tax-ation, etc.

Mr. Hammond moved to lay the motion to reconsider upon the table. The motion to lay upon the table prevailed.

Mr. Wallace moved to reconsider so much of the Journal of yesterday, as refers to the action of the Convention on the amendment proposed by him to the fifteenth section.

Mr. Ingram raised a point of order that a motion to reconsider the entire section having failed, a motion to reconsider a portion of it was not in order.

The chair decided the point well taken.

Mr. Gignilliatt moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on the first paragraph of the seventeenth section.

The motion to reconsider prevailed.

Mr. Little moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention upon the 18th section of the report, and the amendment offered by himself to it.

The motion to reconsider prevailed.

Mr. Gignilliatt moved to amend paragraph first, of section seventeenth, by adding, "except in cases of public calamity."

Mr. Wofford moved to strike out paragraph first.

Mr. Reese of the Twenty-ninth, offered the following amendment, by adding the words, "which may be granted only by a two-thirds vote of the General Assembly."

The amendment was accepted by Mr. Gignilliatt.

Mr. Holcombe moved to lay the amendment of Mr. Gignilliatt upon the table.

Mr. Gignilliatt called for the yeas and nays.

The call was not sustained.

The amendment was lost, and the original report agreed to.

Mr. Hammond, of the Twenty-second, moved to strike out the entire eighteenth section.

Mr. Davis, of the Tenth, moved to lay the motion upon the table.

The motion to lay upon the table prevailed.

Mr. Little moved to amend as follows: by inserting, after the word "bidders," the words: being a citizen, or citizens of this State; and to add to the end of the paragraph the words: within the limits of this State.

Mr. Holcombe moved to lay the motion upon the table.

The motion to lay upon the table prevailed.

The section as reported, upon motion of Mobley, was agreed to.

Mr. Toombs moved to take up the report of the Committee of Final Revision upon Education, which motion prevailed.

Mr. Reese, of the Twenty-eighth, moved to amend section one by inserting, after the word "schools," in the first line, the words: for the education of children in the elementary branches of an English education only.

Mr. Wright moved to amend by adding, in the second line, after the word "otherwise," the words: so soon as, in the opinion of the Legislature, the people of Georgia shall be able to pay the increased taxation.

Mr. Boyd moved to amend the amendment by adding the following: "Spelling, reading, writing, arithmetic, geography, and English grammar."

The amendment was accepted by Mr. Reese.

Mr. Hudson, of the Twenty-ninth, moved to lay the amendment of Mr. Boyd upon the table.

The motion was lost.

The amendmendment of Mr. Boyd was withdrawn.

Mr. Russell, of the Eighth, moved to lay the amendment of Mr. Reese upon the table.

Mr. Ponder called for the yeas and nays.

The call was sustained, and the vote resulted as follows:

Those voting in the affirmative were Messrs.—

Anderson,	May,
Barrow,	Matthews,
Bass,	Mattox,
Burnett,	Mershon,
Cain,	Mynatt,
Chambers,	Nisbet,
Chancy,	Newell,
Cooper,	Pace,
Creech,	Phillips of the 18th,
Davis of the 10th,	Ponder,
Dell,	Rosser,
Donaldson,	Russell of the 8th,
Fitten,	Sale,
Fontaine,	Sanford,
Furman,	Seward,
Furlow,	Simmons,
Guerard,	Shepherd,
Gignilliatt,	Swearingen,
Greer of the 21st,	Tye,
Hawkins,	Tuggle,
Hansell,	Wallace,
Hammond of the 35th,	Westmoreland,
Heath,	Wells,

Hollifield,
Johnson of the 18th,
Lawson,

Whiddon,
Winn, R. D.,
Winn, L. J.

Those voting in the negative were Messrs. —

Awbrey,
Bachlott,
Barrett,
Brannen,
Braddy,
Bristow,
Brown,
Buchanan,
Boyd,
Bush,
Casey,
Camp,
Carter,
Collier,
Clifton,
Clark,
Conley,
Coney,
Coats,
Davis of the 23d,
Day,
Denton,
Dickey,
DuBose,
Edge,
Ellington,
Featherston,
Flewellen,
Gartrell,
Guerry,
Garren,
Gay,
Glover,

Jenkins of the 10th,
Johnson of the 19th,
Johnson of the 42d,
Key,
Keller,
Knight,
Lawton,
Lofton,
Little,
Lewis,
Lowe,
Logino,
McDonald,
McIntosh,
McFarland,
McLeod,
McRea,
Mercier,
Mobley,
Mosely,
Moore,
Osborne,
Paris,
Pierce,
Perry,
Phillips of the 36th,
Polk,
Reese of the 28th,
Re se of the 29th,
Render,
Respass,
Rogers,
Rowe,

Graham,
Gorman,
Gibbs,
Grace,
Greer of the 13th,
Hamilton of the 21st,
Hamilton of the 42d,
Harrell,
Hammond of the 22d,
Hall,
Hand,
Hardy,
Head,
Heard,
Hewell,
Henry,
Hicks,
Hill,
Howell,
Holcombe,
Horne,
Hunt,
Hudson of the 25th,
Hudson of the 29th,
Ingram,
Jackson,
Jones,

Sapp,
Sanders,
Scott of the 30th,
Stokes,
Spence of the 5th,
Spence of the 33th,
Swanson,
Smith,
Stevens of the 6th,
Stevens of the 40th,
Toombs,
Trammell,
Tift,
Twitty,
Thompson,
Tumlin,
Tharpe,
Underwood of the 31st
Underwood of the 32d
Warren of the 1st,
Warthen,
Wimberly,
Williams,
Wilson,
Willis,
Wright,
Wofford.

Yeas 52.

Nays 120.

So the motion to lay upon the table was lost.

Mr. Hunt moved to amend by adding, after "State," the words: between the ages of sixteen and eighteen years.

The previous question was called.

The call was sustained, and the amendment of Mr. Reese was put and prevailed.

The amendment of Mr. Wright was lost.

The amendment of Mr. Hunt was lost.

Mr. Edge moved to amend by striking out, in first line, the word "thorough."

The amendment was lost.

The first section, as amended, was agreed to.

Mr. Wilson moved to amend section two as follows :

That the first, second, and third line, down to and including the word "salary," be stricken out, and in the fourth line the word "shall" be substituted for the word : may.

Mr. Edge moved to amend by adding, after "salary," the words : not exceeding \$1,800.

Mr. Mobley offered the following as a substitute for section two :

The General Assembly may abolish the office of State School Commissioner and County School Commissioner, and may substitute such officer, or officers, or make such provision in lieu thereof, as may be deemed necessary to perfect the system of public education.

Mr. Crane moved to lay all the amendments to the section upon the table.

The motion prevailed.

Mr. Render moved to strike out the entire section, and called the previous question.

The call was not seconded.

Mr. DuBose moved to lay the motion to strike out upon the table.

The motion prevailed.

Mr. Crane moved to adopt the section as reported by the committee.

The call was not sustained.

Mr. Hewell offered the following substitute: the General Assembly may provide for such officer or officers as may be deemed necessary to perfect the system of public education.

Mr. Davis moved to amend by striking out the words "a competent salary," and insert: a salary not to exceed two thousand dollars.

Mr. Osborne moved to amend by striking out "competent," in the third line, and insert: sixteen hundred dollars annually.

Mr. Spence, of the Thirty-fifth, moved to lay the motion of Mr. Osborne upon the table, which motion prevailed.

Mr. Edge moved to amend by striking out "competent salary," and inserting: \$1600.

The motion was laid upon the table.

Mr. Russell, of the Eighth, moved to strike out the last sentence of second section.

The amendment of Mr. Davis was put and agreed to.

Mr. DuRose moved to adopt the section, as amended, and called the previous question.

The call was sustained.

Leave of absence was granted Mr. Casey.

The substitute of Mr. Hewell was put and prevailed, and the substitute was adopted in lieu of the original section.

The hour of adjournment having arrived, the President announced that the Convention was adjourned until four o'clock, P.M.

AFTERNOON SESSION.

Four o'clock.

The Convention met pursuant to adjournment, President Jenkins, in the chair.

Upon motion of Mr. Tuggle, the calling of the roll was dispensed with.

Leave of absence was granted Mr. Featherston.

Mr. Gibbs moved to amend the third section, by adding :
“and tax that may be assessed on such domestic animals as from their nature and habits are destructive to other property.”

The motion prevailed.

The third section, as amended was agreed to.

Mr. Matthews offered the following amendment to the fourth section: Insert the words "of the qualified votes," after "vote" in third line, and, after "corporation" in fourth line, "and approved by a majority of said qualified voters."

Mr. Hunt moved to lay upon the table, which motion prevailed.

Mr. Wright moved to strike out the fourth section.

Mr. Crane moved to lay the motion upon the table.

Mr. Holcombe raised the point of order that he had possession of the floor before the motion to lay upon the table was made.

The point was decided to be well taken.

Mr. Lawson moved to add to the section the words: and the majority of such voters that shall be required to carry such local laws into effect.

Mr. Hamilton, of the Twenty-first, moved to amend by striking out "counties and," in the first line, of section fourth; also the words "counties or," in the third line.

The amendment of Mr. Lawson was put and agreed to.

Mr. Hunt moved to lay the amendment of Mr. Hamilton, of the Twenty-first, upon the table, which motion prevailed.

Mr. Hamilton, of the Twenty-first, moved to lay the motion of Mr. Wright to strike out upon the table, which motion prevailed.

The fourth section, as amended, was agreed to.

Mr. Rosser offered the following as an additional sentence to section fifth :

Nothing contained in section one, of this article, shall be construed to deprive schools in this State—not common schools—from participation in the educational funds of the State, as to all pupils therein taught in the elementary branches of an English education.

The amendment was agreed to.

Section five, as amended, was agreed to.

Mr. Boyd offered the following as a substitute for the sixth section :

The trustees of the State University, and the trustees of the North Georgia Agricultural College, at Dahlonega, may accept any bequests or grants of land, or other property, for the use of said university or of said college. One-third part of the annual interest accruing on the land scrip fund donated by Congress to the people of Georgia, to-wit : the sum of \$5,971 annually, be and the same is hereby donated and set apart to the Board of Trustees of the North Georgia Agricultural College, and their successors in office, to be applied by said Board of Trustees to the use and benefit of the students of said college according to the act of Congress, and the charter of said college.

Upon motion, the time of Mr. Boyd was extended indefinitely.

The time of Mr. Wofford was also extended.

Mr. Wofford offered the following substitute for the substitute of Mr. Boyd :

That the interest arising from the agricultural fund of

\$240,000, said interest being \$17,984, be equally appropriated to three Agricultural Colleges—\$5,970 to the Dahlonega Agricultural College; to an Agricultural College to be established in Middle Georgia \$5,971; and to an Agricultural College to be established in Southwest Georgia \$5,964.

The hour of adjournment having arrived, the President declared the Convention adjourned until to-morrow morning at eight and a half o'clock.

ATLANTA, GEORGIA,
SATURDAY, August 11, 1877.

The Convention met pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by Rev. Mr. Cooper, of the Thirteenth District.

Messrs. Holcombe, and Reese, of the Twenty-eighth, gave notice that they would move to reconsider certain portions of the Journal of yesterday.

Leave of absence was granted Messrs. Glover, Wofford, Ponder, and Mattox.

Mr. Holcombe moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in adopting the substitute to section two of the report on Education.

Mr. Furman called the previous question.

The call was sustained.

The motion to reconsider was put, and prevailed.

Mr. Reese, of the Twenty-eighth, moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in adopting section four of the report on Education.

Mr. Hammond, of the Thirty-fifth, called for the yeas and nays.

The call was not sustained.

The motion to reconsider prevailed.

The substitute of Mr. Hewell to section two was taken up, and rejected, and the original section, as amended, was agreed to.

Upon the reconsideration, Mr. Reese, of the Twenty-eighth, moved to amend section four by inserting, after the word "counties," in the first line, the words: upon the recommendation of two grand juries; and by inserting: to, before "municipal;" and inserting, after "corporation," the words: upon recommendation of the corporate authorities.

Mr. Matthews moved to amend by inserting the words: of the qualified voters, after "vote," in third line; and after "corporation," in fourth line, the words: and approved by a two-thirds majority of voters qualified to vote at such election.

Mr. Furlow moved to amend by striking out "counties," and inserting: militia or school districts, in first line, and strike out "county," in third line, and insert: district.

The amendment of Mr. Reese was put, and agreed to.

The amendment of Mr. Matthews was put, and agreed to.

Mr. DuBose moved to strike out all after "vote," in third line, and insert : of the male property holders of such county, or municipal corporation, a majority vote is required to carry the provisions of this section into operation.

Upon motion of Hr. Hunt, the amendment was laid upon the table.

Mr. Render moved to amend by striking out all after "corporation," and inserting : and none but the tax-payers upon property in said county, or municipal corporation, shall be qualified to vote at such election.

Mr. Davis of the Tenth moved to lay upon the table.

Mr. Render called for the yeas and nays.

The call was not sustained, and the motion to lay upon the table prevailed.

Mr. Mershon moved to lay the amendment of Mr. Furlow upon the table, which motion prevailed.

Mr. Lawson moved to strike out "majority," adopted yesterday, which motion prevailed.

Mr. Wallace offered the following as a substitute for the section :

Authority may be granted to counties, districts and municipal corporations, to establish and maintain public schools in their respective limits, by local taxation ; but no such tax shall be imposed until the same has been authorized by a majority of the tax-payers of said county, district, or municipal corporation to be affected by said tax, at an election to be held for that purpose.

Mr. Ellington moved to lay the substitute upon the table.

The motion prevailed.

Mr. Simmons moved to strike out the section.

Mr. Davis, of the Tenth, moved to lay the motion to strike out upon the table!

The motion prevailed.

Mr. Davis, of the Tenth, moved to adopt the section, as amended.

The motion prevailed, and the section, as amended, was agreed to.

The unfinished business of yesterday was resumed.

Mr. Cooper called the previous question.

The call was sustained, and the substitute of Mr. Wofford was put and lost.

The substitute of Mr. Boyd, for the original section, was put and lost.

The sixth section of the report was agreed to.

Mr. Tift offered the following as an additional section :

The General Assembly shall provide by law for the maintenance at all times of the proper organization and management of the University, at Athens, and all other educational institutes, which may be specially endowed, or aided by the State ; and all such trustees shall be required to make regular quarterly reports to the Governor,

of their receipts and expenditures, the number and salaries of their officers and employees, their financial condition, the number of pupils in attendance, and such other information as the General Assembly may, by law, prescribe, and all such reports shall be transmitted by the Governor to the General Assembly with his regular message.

Mr. DuBose moved to lay the amendment upon the table, which motion prevailed.

Mr. Osborne offered the following additional section :

That the State School Commissioner shall be elected by the legal, qualified voters of this State, at the time of electing the General Assembly.

Upon motion, the amendment was laid upon the table.

Mr. Tift offered the following as an additional section :

The General Assembly shall provide a perpetual fund, to be known as the capital of the common school fund, to consist of—

1. The money paid to Georgia as her share of the United States deposit fund, distributed among the States, January 23d, 1836, on which the United States shall pay six per cent. per annum, and after adding \$25,000 of said interest to the principal of the capital of the common school fund, each year, the balance of the interest shall be annually appropriated to the support of common schools.

2. All net funds which may be derived from the sale, or from the reversion to the State, by act of the General Assembly, of wild or unimproved lands paying no tax to the State.

3. All the net proceeds which may be derived from the

State's interest in lands heretofore specially reserved by the State, mentioned in chapter second, section 962, in Irwin's Code of the laws of Georgia, also all escheats to the State, and all funds which may hereafter be added to said capital of the common school fund, by the State, or other parties. The said capital fund shall be safely invested, and the interest only shall be annually appropriated for the support of common schools.

In addition to the annual interest herein provided, the poll tax, one-half of all special and specific taxes, which are now authorized, or which may hereafter be authorized, by law, and the proceeds of all commutation taxes for military service, and such other means as the General Assembly may by law provide, shall be annually set apart and appropriated to the support of common schools. The poll tax, and the sum of \$50,000 shall annually be appropriated from the interest and specific taxes herein provided, or from other sources, for the support of common schools, and the amount shall not be diminished; and these sums shall be in the place and stead of the \$150,000 heretofore appropriated from rental of the Western and Atlantic Railroad, the whole of which shall be hereafter applied to the payment of the public debt, or such other purpose as the General Assembly may by law provide.

Mr. Holcombe moved to lay upon the table, which motion prevailed.

Mr. Crane moved the adoption of the report as amended, and called the previous question.

The call was sustained, and the report was agreed to.

Mr. Toombs moved to take up the report on Taxation, Finance, etc., which had not been completed.

The motion prevailed.

Mr. Reese, of the Twenty-eighth, withdrew his amendment to the report.

Mr. Brown moved to amend the first section and third line, by adding: public institutions, after "government," which was agreed to. and the report, as amended, was agreed to.

Mr. Greer, of the Twenty-first, moved that when the Convention adjourn this morning it shall adjourn to nine o'clock, Monday morning.

The motion prevailed.

Mr. Toombs moved to take up the report of the Committee of Final Revision on the Legislative Department, which motion prevailed.

The first section of the report was agreed to.

Mr. Dismuke moved to adjourn, which motion prevailed, and the President declared the Convention adjourned until nine o'clock Monday morning.

ATLANTA, GEORGIA,
MONDAY, August 13th, 1877.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Prayer by Rev. Mr. Tharpe.

Leave of absence was granted Messrs. Bush, Ponder, Denton, and Scott of the Thirteenth District.

The unfinished business of Saturday was the order of the day.

Mr. Bass moved to suspend the order of business, as far as the consideration of the second, third and fourth sections are concerned, until to-morrow morning.

Mr. Harrell moved to lay upon the table the motion to postpone, which motion to postpone was lost.

Mr. Bass moved to strike out the word "five" in the fourth line, first paragraph, second section, and insert, three and strike out "forty-five" in the fifth line, and insert the word: twenty-seven.

Mr. Collier moved to amend Mr. Bass' motion by striking out "three" and insert four, and striking out "twenty-seven"—and inserting thirty-six.

Mr. Ingram called the previous question, which call was not sustained.

Mr. Davis, of the Tenth, moved to lay the amendment on the table.

The motion to lay upon the table prevailed.

Mr. Hill called for the yeas and nays, which call was not sustained.

Mr. McDonald offered the following amendment to the second section, to-wit:

The Senate shall consist of forty-four members. There shall be forty-four Senatorial Districts, as now arranged by counties. Each district shall have one Senator.

Mr. Holcombe proposed to strike out "nine," in second section, and insert: forty-four; also to strike out "forty-five" and insert: forty-four.

Adopted.

Mr. Lawton introduced the following amendment:

The Senate shall consist of forty-four Senators, one elected from each of forty-four districts, to be composed of contiguous counties, arranged as near as may be according to population.

Mr. Mershon moved to lay the amendment on the table.

Mr. Lawton called for the yeas and nays, which call was sustained.

Those voting in the affirmative were Messrs.—

Anderson,	Johnson of the 30th,
Awbrey,	Knight,
Bachlott,	Lowe,
Barrett,	Matthews,
Brannen,	McDonald,
Braddy,	McFarland,
Bryan,	McLeod,
Boyd,	McRea,
Camp,	Mershon,
Clifton,	Mosely,
Chambers,	Newell,
Conley,	Osborne,
Coney,	Paris,
Coats,	Pierce,
Creech,	Polk,
Davis of the 10th,	Rogers,
Davis of the 23d,	Rowe,
Day,	Russell of the 1st,
Dell,	Sale,
Dickey,	Sapp,
Edge,	Seward,
Furman,	Scott of the 30th,
Gartrell,	Stokes,
Garren,	Spence of the 5th,
Gay,	Stroud,

Gignilliat,
Graham,
Gorman,
Grace,
Goff,
Harrell,
Hansell,
Hall,
Hand,
Head,
Henry,
Heath,
Hicks,
Holcombe,
Horne,
Hunt,
Hudson of the 25th,
Jenkins of the 10th,
Johnson of the 19th,

Shepherd,
Swearingen,
Stevens of the 6th,
Stevens of the 40th,
Trammell,
Tift,
Twitty,
Tumlin,
Tharpe,
Underwood of the 31st,
Warren of the 1st,
Wellborn,
Westmoreland,
Whiddon,
Wimberly,
Williams,
Wilson,
Winn, R. D.
Wofford.

Those voting in the negative were Messrs.—

Bass,
Bristow,
Brown,
Buchanan,
Cain,
Carter,
Collier,
Clark,
Cooper,
Crane,
Dismuke,
Donaldson,
DuBose,
Ellington,

Lawson,
Lofton,
Little,
Logino,
May,
McIntosh,
Mercier,
Moblely,
Moore,
Mynatt,
Nisbet,
Perry,
Phillips of the 18th,
Phillips of the 36th,

Featherston,
Flewellen,
Fontaine,
Furlow,
Guerry,
Guerard,
Gibbs,
Greer of the 21st,
Hamilton of the 21st,
Hamilton of the 42d,
Hawkins,
Hammond of the 35th,
Harris,
Hardy,
Heard,
Hewell,
Hill,
Hollifield,
Hudson of the 29th,
Ingram,
Jackson,
Jones,
Johnson of the 18th,
Johnson of the 42d,
Key,
Keller,
Lawton,

Porter,
Reese of the 28th,
Reese of the 29th,
Render,
Respass,
Rosser,
Roberts,
Robertson,
Ross,
Russell of the 8th,
Sanders,
Sanford,
Simmons,
Spence of the 35th,
Swanson,
Screven,
Smith,
Toombs,
Thompson,
Tuggle,
Warren of the 23d,
Wallace,
Warthen,
Wells,
Willis,
Wright,
Winn, L. J.

Yeas 88.

Nays 83.

So the motion to lay the amendment of Mr. Lawton on the table prevailed.

Leave of absence was granted Messrs. Barrow and Fain.

Mr. Flewellen offered the following, as a substitute :

The Senate shall consist of forty-seven Senators. To each county containing one-forty-seventh part of the total population of the State, one Senator ; the remaining counties of the State to be divided into Senatorial Districts, composed of contiguous counties, each of said Senatorial Districts to contain, as near as may be, one-forty-seventh part of the total population of the State, until hereinafter arranged as provided by law.

Mr. Clark moved to lay the amendment on the table, which motion prevailed.

Mr. McDonald moved the adoption of the amendment offered by himself.

Mr. Toombs called for the yeas and nays, which call was sustained, and resulted as follows :

Those voting in the affirmative are Messrs. —

Anderson,	Keller,
Awbrey,	Knight,
Bachlott,	Lowe,
Barrett,	Matthews,
Brannen,	McDonald,
Braddy,	McFarland,
Bryan,	McLeod,
Boyd,	McRea,
Camp,	Mershon,
Carter,	Mosely,
Clifton,	Moore,
Clark,	Osborne,
Chambers,	Paris,
Conley,	Phillips of the 36th,
Coney,	Polk,
Coats,	Respass,

Creech,
 Davis of the 10th,
 Davis of the 23d,
 Day,
 Dell,
 Dickey,
 Donaldson,
 Edge,
 Fontaine,
 Gartrell,
 Garren,
 Gay,
 Gignilliatt,
 Graham,
 Grace,
 Goff,
 Hamilton of the 21st,
 Harrell,
 Hansell,
 Hall,
 Hand,
 Head,
 Hewell,
 Henry,
 Heath,
 Hicks,
 Holcombe,
 Horne,
 Hunt,
 Hudson of the 25th,
 Jones,
 Jenkins of the 10th,
 Johnson of the 19th,
 Johnson of the 30th,
 Key,

Rosser,
 Rogers,
 Rowe,
 Russell of the 1st,
 Russell of the 8th,
 Sale,
 Sapp,
 Seward,
 Scott of the 30th,
 Stokes,
 Spence of the 5th,
 Spence of the 35th,
 Stroud,
 Shepherd,
 Swearingen,
 Screven,
 Smith,
 Stevens of the 6th,
 Stevens of the 40th,
 Trammell,
 Tift,
 Tye,
 Twitty,
 Tuggle,
 Tumlin,
 Tharpe,
 Underwood of the 31st,
 Warren of the 1st,
 Wellborn,
 Westmoreland,
 Wimberly,
 Williams,
 Wilson,
 Winn, R. D.
 Wofford.

Those voting in the negative are Messrs.—

Bass,
Bristow,
Brown,
Buchanan,
Cain,
Collier,
Cooper,
Crane,
Dismuke,
DuBose,
Ellington,
Featherston,
Flewellen,
Furman,
Furlow,
Guerry,
Guerard,
Gibbs,
Greer of the 21st,
Hamilton of the 42d,
Hawkins,
Hammond of the 35th,
Harris,
Hardy,
Heard,
Hill,
Hollifield,
Hudson of the 29th,
Ingram,
Jackson,
Johnson of the 18th,
Johnson of the 42d,
Lawton,

Lofton,
Little,
Logino,
May,
McIntosh,
Mercier,
Mobley,
Mynatt,
Nisbet,
Newell,
Pierce,
Perry,
Phillips of the 18th,
Porter,
Reese of the 28th,
Reese of the 29th,
Render,
Roberts,
Robertson,
Ross,
Sanders,
Sanford,
Simmons,
Swanson,
Toombs,
Thompson,
Warren of the 23d,
Wallace,
Warthen,
Wells,
Whidden,
Willis,
Wright.

Lawson,

Winn, L. J.

Yeas, 103.

Nays, 68.

So the amendment of Mr. McDonald was adopted, in lieu of article two, paragraph one.

Mr. Hewell moved to strike out all after the first paragraph, second section, to the eleventh paragraph, second section.

The motion to strike out prevailed.

Mr. Hammond moved to insert, in lieu of the stricken matter, the words : to-wit, and the following, which was adopted :

The First District shall be composed of the counties of Chatham, Bryan, and Effingham.

Second—Liberty, Tatnall, McIntosh.

Third—Wayne, Pierce, Appling.

Fourth—Glynn, Camden, Charlton.

Fifth—Coffee, Ware, Clinch.

Sixth—Echols, Lowndes, Berrien.

Seventh—Brooks, Thomas, Colquitt.

Eighth—Decatur, Mitchell, Miller.

Ninth—Early, Calhoun, Baker.

Tenth—Dougherty, Lee, Worth.

Eleventh—Clay, Randolph, Terrell.

Twelfth—Stewart, Webster, Quitman.

Thirteenth—Sumter, Schley, Macon.

Fourteenth—Dooly, Wilcox, Dodge.

Fifteenth—Montgomery, Telfair, Irwin.

Sixteenth—Laurens, Emanuel, Johnson.

Seventeenth—Screven, Bullock, Burke.

Eighteenth—Richmond, Glasscock, Jefferson.

Nineteenth—Taliaferro, Warren, Greene.

Twentieth—Baldwin, Hancock, Washington.

Twenty-first—Twiggs, Wilkinson, Jones.

Twenty-second—Bibb, Monroe, Pike.

Twenty-third—Houston, Crawford, Taylor.

Twenty-fourth—Marion, Muscogee, Chattahoochee.

Twenty-fifth—Harris, Upson, Talbot.

Twenty-sixth—Spalding, Butts, Fayette.

Twenty-seventh—Newton, Walton, Clarke, Oconee, Rockdale.

Twenty-eighth—Jasper, Putnam, Morgan.

Twenty-ninth—Wilkes, Lincoln, Columbia, McDuffee.

Thirtieth—Oglethorpe, Madison, Elbert.

Thirty-first—Hart, Habersham, Franklin.

Thirty-second—White, Dawson, Lumpkin.

Thirty-third—Hall, Banks, Jackson.

Thirty-fourth—Gwinnett, DeKalb, Henry.

Thirty-fifth—Clayton, Cobb, Fulton.

Thirty-sixth—Campbell, Coweta, Meriwether, Douglass.

Thirty-seventh—Carroll, Heard, Troup.

Thirty-eighth—Haralson, Polk, Paulding.

Thirty-ninth—Milton, Cherokee, Forsyth.

Fortieth—Union, Towns, Raburn.

Forty-first—Pickens, Fannin, Gilmer.

Forty-second—Bartow, Floyd, Chattooga.

Forty-third—Murray, Gordon, Whitfield,

Forty-fourth—Walker, Dade, Catoosa.

Mr. Holcombe moved to strike out in eleventh paragraph, second section, the words beginning with “and provided,” in the next to the last line.

Mr. Hansell moved to strike out the eleventh paragraph of the second section.

Mr. Greer moved to lay Mr. Holcombe’s motion on the table, which motion to table prevailed.

Mr. Hudson called for the yeas and nays, which call was not sustained.

Mr. Render moved to lay Mr. Hansell's motion to strike out on the table.

Mr. Creech called for the yeas and nays, which call was sustained.

Mr. Awbrey moved to adjourn until four o'clock, which motion to adjourn was lost.

Those voting in the affirmative were Messrs.—

Barrett,	Lawson,
Bass,	Lofton,
Bristow,	Little,
Brown,	Logino,
Buchanan,	May,
Cain,	Matthews,
Collier,	McIntosh,
Cooper,	Mercier,
Crane,	Mobley,
Dismuke,	Mynatt,
Donaldson,	Nisbet,
DuBose,	Perry,
Edge,	Phillips of the 18 h,
Ellington,	Phillips of the 36th,
Featherston,	Porter,
Flewellen,	Reese of the 28th,
Furlow,	Reese of the 29th,
Gartrell,	Respass,
Guerry,	Rosser,
Guerard,	Roberts,
Gorman,	Robertson,
Gibbs,	Ross,
Greer of the 21st,	Russell of the 8th,
Hamilton of the 21st,	Sanders,
Hamilton of the 42nd,	Sanford,
Hawkins,	Simmons,

Hammond of 35th,	Stokes,
Harris,	Shepherd,
Hand,	Swanson,
Hardy,	Toombs,
Heard,	Trammell,
Hewell,	Thompson,
Hill,	Tuggle,
Hollifield,	Tumlin,
Hudson of the 25th,	Warren of the 23 ^d ,
Hudson of the 29th,	Wallace,
Ingram,	Warthen,
Jackson,	Wells,
Jones,	Whiddon,
Johnson of the 18th,	Wimberly,
Johnson of the 30th,	Wilson,
Johnson of the 42d,	Willis,
Key,	Wright,
Lawton,	Winn, L. J.

Those voting in the negative were, Messrs.—

Anderson,	Lowe,
Awbrey,	McDonald,
Bachlott,	McFarland,
Brannen,	McLeod,
Braddy,	McRea,
Bryan,	Mershon,
Camp,	Mosely,
Clifton,	Moore,
Clark,	Newell,
Chambers,	Osborne,
Conley,	Paris,
Coney,	Pierce,
Creech,	Polk,
Davis of the 10th,	Rogers,
Davis of the 23d,	Rowe,
Day,	Russell of the 1st,

Dell,
Dickey,
Fontaine,
Furman,
Garren,
Gay,
Gignilliatt,
Graham,
Grace,
Goff,
Harrell,
Hansell,
Hall,
Head,
Heath,
Hicks,
Holcombe,
Horne,
Hunt,
Jenkins of the 10th,
Johnson of the 19th,
Keller,
Knight,

Sale,
Sapp,
Seward,
Scott of the 30th,
Spence of the 5th,
Spence of the 35th,
Stroud,
Swearingen,
Screven,
Smith,
Stevens of the 6th,
Stevens of the 40th,
Tift,
Tye,
Twitty,
Tharpe,
Underwood of the 31st
Warren of the 1st,
Wellborn,
Westmoreland,
Williams,
Winn, R. D.
Wofford.

Yeas, 88.

Nays, 78.

So the motion to strike out the paragraph was laid on the table.

The Convention adjourned until four o'clock this afternoon.

AFTERNOON SESSION.

MONDAY, August 13, 1877.

The Convention met pursuant to adjournment, President Jenkins in the Chair.

The second section was adopted.

Mr. Toombs corrected the report of the committee by striking out, in section third, "Columbia, Clark and Pulaski," and insert: Macon, Hancock and Jackson, which correction was allowed by general consent.

Mr. Ingram offered the following as a substitute for the first paragraph, third section, to-wit:

The House of Representatives shall consist of one hundred and sixty Representatives, apportioned among the several counties, as follows, to-wit: Each county in the State shall have one Representative each, and the twenty-three counties having the largest population shall have each two Representatives, and which shall be determined by the last census of the United States.

2. The above apportionment may be changed by the General Assembly after each census by the government of the United States, but in no event shall the aggregate number of Representatives be increased.

Mr. Ingram called for the previous question, which call was not sustained.

Mr. Holcombe offered the following substitute:

The House of Representatives shall consist of one hun-

dred members, apportioned among the forty-four Senatorial Districts, as follows :

First District—Chatham, Bryan and Effingham, three Representatives.

Second District—Liberty, Tatnall and McIntosh, two Representatives.

Third District—Wayne, Pierce and Appling, two Representatives.

Fourth District—Glynn, Camden and Charlton, two Representatives.

Fifth District—Coffee, Ware and Clinch, two Representatives.

Sixth District—Echols, Lowndes and Berrien, two Representatives.

Seventh District—Brooks, Thomas and Colquitt, two Representatives.

Eighth District—Decatur, Miller and Mitchell, two Representatives.

Ninth District—Early, Calhoun and Baker, two Representatives

Tenth District—Dougherty, Lee and Worth, two Representatives.

Eleventh District—Clay, Randolph and Terrell, two Representatives.

Twelfth District—Stewart, Webster and Quitman, two Representatives.

Thirteenth District—Sumter, Schley and Macon, three Representatives.

Fourteenth District—Dooly, Wilcox, Pulaski and Dodge, two Representatives.

Fifteenth District—Montgomery, Telfair and Irwin, two Representatives

Sixteenth District—Lawrence, Johnson and Emanuel, two Representatives.

Seventeenth District—Bullock, Screve nand Burke, two Representatives.

Eighteenth District—Richmond, Glasscock and Jefferson, three Representatives.

Nineteenth District—Taliaferro, Warren and Greene, two Representatives.

Twentieth District—Baldwin, Hancock and Washington, three Representatives.

Twenty-first District—Twiggs, Wilkinson and Jones, two Representatives.

Twenty-second District—Bibb, Monroe and Pike, three Representatives.

Twenty-third District—Houston, Crawford and Taylor, three Representatives.

Twenty-fourth District—Marion, Chattahoochee and Muscogee, two Representatives.

Twenty-fifth District—Harris, Upson and Talbot, three Representatives.

Twenty-sixth District—Spalding, Butts and Fayette, two Representatives.

Twenty-seventh District—Newton, Walton, Clark, Rockdale and Oconee, three Representatives.

Twenty-eighth District—Jasper, Putnam and Morgan, two Representatives.

Twenty-ninth District—Wilkes, Lincoln, Columbia and McDuffie, two Representatives.

Thirtieth District—Oglethorpe, Madison and Elbert, two Representatives.

Thirty-first District—Hart, Franklin and Habersham, two Representatives.

Thirty-second District—White, Lumpkin and Dawson, two Representatives.

Thirty-third District—Hall, Banks and Jackson, two Representatives.

Thirty-fourth District—Gwinnett, DeKalb and Henry, two Representatives.

Thirty-fifth District—Clayton, Fulton and Cobb, three Representatives.

Thirty-sixth District—Meriwether, Coweta, Campbell and Douglass, three Representatives.

Thirty-seventh District—Troup, Heard and Carroll, three Representatives.

Thirty-eighth District—Haralson, Polk and Paulding, two Representatives.



Thirty-ninth District—Cherokee, Milton and Forsyth, two Representatives.

Fortieth District—Union, Towns and Rabun, two Representatives.

Forty first District—Fannin, Gilmer and Pickens, two Representatives.

Forty-second District—Bartow, Floyd and Chattooga, three Representatives.

Forty-third District—Murray, Whitfield and Gordon, two Representatives.

Forty-fourth District—Walker, Dade and Catoosa, two Representatives.

Making one hundred.

Mr. Anderson moved to lay the substitute of Mr. Holcombe on the table, which motion prevailed.

Mr. McDonald offered the following as a substitute, to-wit: The House of Representatives shall consist of 102 members. The four Senatorial Districts having the largest population shall have four representatives each. The four districts having four counties shall have three representatives each. One district having five counties shall have four representatives each. The remaining thirty-five districts shall have two representatives each. Each county shall have one representative each, in the General Assembly. Either Senator or Representative to be voted for by the district at large.

Mr. McIntosh moved to lay it upon the table, which motion prevailed.

Mr. Ross introduced the following substitute for Mr. Ingram's, to-wit: The House of Representatives shall consist of one member from each county in this State. The member from the six largest counties, to-wit: Chatham, Richmond, Burke, Houston, Bibb and Fulton, shall have three votes. The members from the twenty-six counties having the next largest population, to-wit: Bartow, Coweta, Decatur, Floyd, Greene, Gwinnett, Harris, Jefferson, Merriwether, Monroe, Muscogee, Newton, Stewart, Sumter, Thomas, Troup, Washington, Clark, Carroll, Cobb, Columbia, Dougherty, Oglethorpe, Pulaski, Talbot and Wilkes shall have two votes, and the member from all other counties shall have one vote each, upon all questions coming before said House.

Upon motion of Mr. Toombs, the substitute was laid on the table.

Upon motion of Mr. Anderson, the substitute of Mr. Ingram was laid on the table.

Mr. Hunt moved to strike, in the third section, "Newton," and insert: Pike.

Mr. Hunt called for the previous question, which call was not sustained.

Mr. Lawson moved to insert: Walton.

The motion to strike out "Newton" prevailed, and Walton was inserted in lieu thereof.

Mr. Hewell moved to amend section three, paragraph one, as follows, to-wit: strike out the words "seventy-five," in the thirty-third line, and insert the words: forty-three. Strike out the word "three," in the thirty-fifth line, and insert the word: two. Strike out the word "two," in the

thirty-ninth line and insert the word : one, so as to read the House of Representatives, etc.

Upon motion of Mr. Twitty, the amendment was laid on the table.

Mr. Featherston offered the following substitute :

The House of Representatives shall consist of eighty-eight Representatives : that is, two from each Senatorial District.

Mr. Creech moved to lay the substitute on the table.

Mr. Bass called for the yeas and nays, which call was sustained.

Those voting in the affirmative were, Messrs. :—

Anderson,
Bachlott,
Barrett,
Brannen,
Braddy,
Bristow,
Bryan,
Boyd,
Cain,
Collier,
Clifton,
Chambers,
Coney,
Coats,
Crane,
Creech,
Davis of the 10th,
Day,

Little,
May,
Matthews,
McCallum,
McIntosh,
McLeod,
Mercier,
Mershon,
Mobley,
Mosely,
Mynatt,
Nisbet,
Newell,
Osborne,
Pierce,
Perry,
Phillips of the 18th,
Porter,

Dell,	Ponder,
Dickey,	Reese of the 29th,
Donaldson,	Respass,
DuBose,	Rosser,
Edge,	Rogers,
Fontaine,	Roberts,
Furman,	Robertson,
Gartrell,	Russell of the 1st,
Guerry,	Russell of the 8th,
Garren,	Sapp,
Gay,	Sanders,
Glover,	Sanford,
Guerard,	Seward,
Gorman,	Simmons,
Grace,	Scott of the 30th,
Greer of the 13th,	Stokes,
Greer of the 21st,	Stroud,
Hansell,	Swearingen,
Hammond of the 35th,	Screven,
Hand,	Smith,
Heard,	Stevens of the 6th,
Hewell,	Toombs,
Henry,	Tift,
Heath,	Twitty,
Hill,	Thompson,
Hollifield,	Underwood of the 31st
Hunt,	Warren of the 1st,
Hudson of the 25th,	Wallace,
Hudson of the 29th,	Warthen,
Ingram,	Westmoreland,
Jones,	Wells,
Johnson of the 18th,	Wimberly,
Johnson of the 30th,	Wilson,
Keller,	Willis,
Lawton,	Winn, R. D.,
Lawson,	Wofford.
Lofton,	

Those voting in the negative were Messrs :—.

Awbrey,
Bass,
Brown,
Buchanan,
Bush,
Camp,
Carter,
Clark,
Conley,
Cooper,
Davis of the 23d,
Denton,
Ellington,
Featherston,
Flewellen,
Field,
Furlow,
Gignillatt,
Graham,
Gibbs,
Goff,
Hamilton of the 21st,
Hamilton of the 42d,
Harrell,
Hawkins,
Harris,
Hall,
Hardy,
Head,
Hicks,
Holcombe,
Horne,
Jenkins of the 10th,

Johnson of the 42d,
Key,
Knight,
Low,
Logino,
McDonald,
McFarland,
McRea,
Moore,
Paris,
Phillips of the 36th,
Polk,
Reese of the 28th,
Render,
Ross,
Rowe,
Sale,
Spence of the 5th,
Spence of the 35th,
Shepherd,
Swanson,
Stephens of the 40th,
Trammell,
Tye,
Tuggle,
Tumlin,
Tharpe,
Warren of the 23d,
Wellborn,
Whiddon,
Williams,
Wright,
Winn. L. J.

Yeas, 109.

Nays, 66.

So the motion to lay upon the table prevailed.

Mr. Anderson moved the adoption of the original section as reported by the committee, and upon it called the previous question.

The call was not sustained.

Mr. Warren, of the Twenty-third District, offered the following substitute :

SECTION 1. The Legislative, Executive, and Judicial Departments shall be distinct, and each department shall be confined to a separate body of magistracy, No person, or collection of persons, being of one department, shall exercise any power properly attached to either of the others, except in cases herein expressly provided.

SEC. 2. The Legislative power shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives. The members thereof shall be elected, and returns of election made in the manner prescribed by law (until changed by the General Assembly) on the first Wednesday in October, in the year 1878, and biennially thereafter, on the first Wednesday in October, to serve until their successors shall be elected; but the General Assembly may, by law, change the day of election.

SEC. 3. The first meeting of the General Assembly under this Constitution, shall be the first Wednesday in November, 1878, and, afterwards, shall meet, biennially, on the first Wednesday in November. A majority of each House shall constitute a quorum to transact business, but a smaller number may adjourn from day to day, and compel the attendance of its absent members, as each House may provide. No session of the General Assembly that meets under this Constitution shall continue longer than

forty days, unless prolonged by a vote of two-thirds of each House thereof.

There shall be twenty-five Senatorial Districts in the State of Georgia, and each district shall be constituted of counties, as follows :

First District, composed of the counties of Chatham and Bryan.

Second District. composed of the counties of Effingham, Screven, Liberty, McIntosh, Tatnall, Bulloch, Emanuel, Montgomery, and Johnson.

Third District, composed of the counties of Appling, Wayne, Glynn, Camden, Charlton, Pierce, Ware, Clinch, Echols, Coffee, Lowndes, Berrien.

Fourth District, composed of the counties of Brooks, Thomas, Decatur, Mitchell, Colquitt.

Fifth District, composed of the counties of Burke, Jefferson, Washington, Glasscock.

Sixth District, composed of the counties of Richmond, Columbia, McDuffie, Warren.

Seventh District, composed of the counties of Telfair, Dodge, Laurens, Pulaski, Wilcox, Irwin, Dooly, Worth, Twiggs.

Eighth District, composed of the counties of Sumter, Lee, Dougherty, Baker, Miller.

Ninth District, composed of the counties of Calhoun, Early, Clay, Quitman, Randolph, Terrell, Webster.

Tenth District, composed of the counties of Stewart, Chattahoochee, Marion, Schley, Talbot.

Eleventh District, composed of the counties of Taylor, Macon, Houston, Crawford.

Twelfth District, composed of the counties of Muscogee, Harris, Troup.

Thirteenth District, composed of the counties of Meriwether, Pike, Upson, Monroe.

Fourteenth District, composed of the counties of Bibb, Jones, Wilkinson, Jasper.

Fifteenth District, composed of the counties of Baldwin, Hancock, Putnam, Greene, Taliaferro.

Sixteenth District, composed of the counties of Lincoln, Wilkes, Elbert, Oglethorpe, Madison.

Seventeenth District, composed of the counties of Clarke, Oconee, Jackson, Walton, Gwinnett.

Eighteenth District, composed of the counties of Morgan, Newton, Rockdale, Henry, Butts, Clayton.

Nineteenth District, composed of the counties of Spalding, Fayette, Coweta, Heard, Campbell.

Twentieth District, composed of the counties of Fulton, DeKalb, Milton.

Twenty-first District, composed of the counties of Carroll, Douglass, Haralson, Cobb, Paulding, Polk.

Twenty-second District, composed of the counties of Cherokee, Bartow, Floyd, Pickens.

Twenty-third District, composed of the counties of Chattooga, Gordon, Walker, Dade, Catoosa, Whitfield, Murray.

Twenty-fourth District, composed of the counties of Fannin, Gilmer, Union, Lumpkin, Dawson, Towns, White, Rabun Habersham.

Twenty-fifth District, composed of the counties of Banks, Hall, Forsyth, Franklin, Hart.

If a new county be established it shall be added to a district which it adjoins. The Senatorial Districts may be changed by the General Assembly, but only at the first session after taking each new census by the United States Government, and this number of Senators and Representatives shall never be increased.

SEC. 1. The House of Representatives shall be composed of seventy-five members, three of whom shall be elected by the persons residing in, and qualified to vote in, each of the said twenty-five Senatorial Districts, so that each of said Senatorial Districts shall be entitled to, and elect, one Senator and three Representatives, and the pay of the members of the General Assembly shall never exceed four dollars per day, and that only when they are in actual session; nor shall they ever charge exceeding ten cents a mile for mileage in going to, and returning from, the seat of Government.

Mr. Russell, of the Eighth District, moved to lay the substitute upon the table, which motion prevailed.

Mr. Warren, of the First District, offered the following substitute for paragraph one, section three:

The House of Representatives shall consist of one hundred and six members. The Senatorial Districts shall also be Representative Districts, and the six districts having the largest population shall be entitled to four Representatives each. The six having the next largest population shall be

entitled to three Representatives each, and the remaining districts shall each be entitled to two Representatives.

Mr. Warren, of the First, moved to adjourn, which motion prevailed, and the Convention adjourned until eight and a half o'clock to-morrow morning.

ATLANTA, GEORGIA,

TUESDAY, August 14, 1877.

The Convention met this morning pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by Rev. Mr. Phillips, of the Eighteenth District.

Mr. Mynatt moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on paragraph first, section second.

Mr. Hansell moved to lay the motion to reconsider on the table.

The motion prevailed.

Mr. Dismuke called for the yeas and nays.

The call was not sustained.

Leave of absence was granted to Mr. Fitten of the Forty-second.

Mr. Holcombe moved to reconsider so much of the Journal of yesterday as relates to the action of the Con-

vention in adopting the proviso to the eleventh paragraph of the report.

Mr. Brown moved to lay the motion to reconsider upon the table.

Mr. Mershon called for the yeas and nays.

The call was sustained, and the vote resulted as follows :

Those voting in the affirmative were Messrs.—

Braddy,	Matthews,
Bass,	McIntosh,
Bristow,	Mercier,
Brown,	Mobley,
Buchanan,	Mynatt,
Burnett,	Nisbet,
Collier,	Newell,
Cooper,	Pace,
Crane,	Pierce,
Dismuke,	Perry,
Donaldson,	Phillips of the 18th,
Edge,	Phillips of the 36th,
Ellington,	Porter,
Featherston,	Ponder,
Field,	Reese of the 28th,
Furman,	Reese of the 29th,
Furlow,	Render,
Gartrell,	Rosser,
Guerry,	Robertson,
Guerard,	Ross,
Greer of the 13th,	Sanders,
Hawkins,	Sanford,
Hammond of the 35th,	Simmons,
Harris,	Shepherd,
Hardy,	Swanson,
Heard,	Screven,
Heath,	Toombs,

Hill,	Trammell,
Hollifield,	Thompson,
Hunt,	Tuggle,
Hudson of the 29th,	Warren of the 23d,
Ingram,	Wallace,
Jones,	Warthen,
Johnson of the 18th,	Westmoreland,
Johnson of the 19th,	Wells,
Johnson of the 30th,	Whiddon,
Johnson of the 42d,	Wimberly,
Lawton,	Willis,
Little,	Wright,
Lewis,	Winn, L. J.,
Logino,	Winn, R. D.

Those voting in the negative were Messrs.—

Anderson,	Jackson,
Awbrey,	Jenkins of the 10th,
Bachlott,	Key,
Barrett,	Keller,
Brannen,	Knight,
Boyd,	Lowe,
Bush,	McDonald,
Camp,	McCallum,
Carter,	McFarland,
Clifton,	McLeod,
Clark,	McRea,
Chambers,	Mershon,
Conley,	Mosely,
Coney,	Moore,
Coats,	Osborne,
Creech,	Paris,
Davis of the 10th,	Polk,
Davis of the 23d,	Respass,
Day,	Rogers,
Dell,	Roberts,
Denton,	Rowe,

Dickey,	Russell of the 1st,
Flewellen,	Russell of the 8th,
Garren,	Sale,
Gay,	Sapp,
Glover	Seward,
Gignilliatt,	Scott of the 30th,
Graham,	Spence of the 5th,
Gorman,	Spence of the 35th,
Gibbs,	Stroud,
Grace,	Swearingen,
Goff,	Smith,
Greer of the 21st,	Stevens of the 6th,
Hamilton of the 21st,	Stevens of the 40th,
Hamilton of the 42d,	Tift,
Hansell,	Tye,
Hall,	Twitty,
Hand,	Tumlin,
Head,	Tharpe,
Hewell,	Underwood of the 31st
Henry,	Warren of the 1st,
Hicks,	Wellborn,
Holcombe,	Williams,
Horne,	Wilson,
Hudson of the 25th,	Wofford.

Yeas, 82.

Nays, 90.

So, upon the call of the yeas and nay, the motion to lay upon the table was lost, and the motion to reconsider was put and prevailed.

Mr. Warren, of the Twenty-third, moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in laying upon the table his substitute to the second section of the report on the Legislative Department.

Upon motion of Mr. Trammell, the time of Mr. Warren, of the Twenty-third, was extended.

Mr. Russell, of the Eighth, moved to lay the motion to reconsider upon the table.

Mr. Crane called for the yeas and nays.

The call was sustained, and the vote resulted as follows :

Those voting in the affirmative are Messrs.—

Anderson,
Awbrey,
Bachlott,
Barrett,
Braddy,
Burnett,
Bryan,
Boyd,
Cain,
Camp,
Clifton,
Clark,
Coney,
Coats,
Creech,
Davis of the 10th,
Day,
Dell,
Dickey,
Dismuke,
Donaldson,
Edge,
Ellington,
Furman,
Gartrell,
Garren,

Jones,
Johnson of the 18th,
Johnson of the 30th,
Key,
Keller,
Knight,
Lawton,
Lawson,
Little,
Matthews,
McCallum,
McLeod,
McRea,
Mercier,
Mershon,
Mosely,
Nisbet,
Osborne,
Pierce,
Perry,
Phillips of the 18th,
Ponder,
Reese of the 29th,
Respass,
Rogers,
Russell of the 1st,

Gay,	Russell of the 8th,
Glover,	Sapp,
Guerard,	Sanders,
Graham,	Sandford,
Gorman,	Seward,
Grace,	Simmons,
Greer of the 13th,	Stokes,
Greer of the 21st,	Spence of the 5th,
Hamilton of the 21st,	Shepherd,
Harrell,	Screven,
Hansell,	Smith,
Hammond of the 22d,	Stevens of the 6th,
Hall,	Stevens of the 40th,
Hand,	Toombs,
Heard,	Tift,
Hewell,	Twitty,
Henry,	Underwood of the 31st,
Heath,	Warren of the 1st,
Hicks,	Westmoreland,
Hunt,	Whiddon,
Hudson of the 25th,	Wimberly,
Hudson of the 29th,	Williams,
Ingram,	Wilson,
Jackson,	Winn, R. D.

Those voting in the negative are Messrs.—

Brannen,	McDonald,
Bass,	McIntosh,
Brown,	McFarland,
Buchanan,	Mobley,
Bush,	Moore,
Carter,	Mynatt,
Collier,	Pace,
Chambers,	Paris,
Conley,	Phillips of the 36th,
Cooper,	Porter,

Crane,
Davis of the 23d,
Denton,
DuBose,
Featherston,
Flewellen,
Fields,
Furlow,
Gerry,
Gignilliatt,
Gibbs,
Goff,
Hamilton of the 42d,
Hawkins,
Hammond of the 35th,
Harris,
Hardy,
Head,
Hill,
Hollifield,
Horne,
Johnson of the 42d,
Lofton,
Lowe,
Logino,

Reese of the 28th,
Render,
Rosser,
Roberts,
Robertson,
Ross,
Rowe,
Sale,
Scott of the 30th,
Spence of the 35th,
Swanson,
Swearingen,
Trammell,
Tye,
Thompson,
Tumlin,
Tharpe,
Warren of the 23d,
Wallace,
Wellborn,
Wells,
Willis,
Wright.
Winn, L. J.
Wofford.

Yeas, 100.

Nays, 70.

So, by a vote of yeas and nays, the motion to lay upon the table prevailed.

Mr. Pace moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in striking out Newton, and inserting Walton, in paragraph one of section third.

Mr. Gibbs moved to lay the motion to reconsider upon the table, which motion was lost, and the motion to reconsider was put, and prevailed.

The reconsideration of Mr. Holcombe was taken up.

Mr. Holcombe moved to strike out the proviso to the eleventh paragraph.

Mr. Toombs called for the yeas and nays.

The call was sustained, and the vote resulted as follows:

Those voting in the affirmative were Messrs.—

Anderson,	Hunt,
Awbrey,	Jackson,
Bachlott,	Jones,
Barrett,	Jenkins of the 10th,
Brannen,	Keller,
Braddy,	Knight,
Boyd,	Lowe,
Camp,	McDonald,
Carter,	McCallum,
Clifton,	McFarland,
Clark,	McLeod,
Chambers,	McRea,
Conley,	Mershon,
Coney,	Mosely,
Coats,	Moore,
Creech,	Osborne,
Davis of the 10th,	Paris,
Davis of the 23d,	Polk,
Day,	Respass,
Dell,	Rogers,
Denton,	Rowe,
Dickey,	Russell of the 1st,
Edge,	Russell of the 8th,

Flewellen,
Furman,
Garren,
Gay,
Glover,
Gignilliat,
Graham,
Gorman,
Grace,
Goff,
Greer of the 13th,
Greer of the 21st,
Hamilton of the 21st,
Harrell,
Hansell,
Hall,
Hand,
Head,
Hewell,
Henry,
Heath,
Hicks,
Holcombe,
Horne,

Sale,
Sapp,
Seward,
Scott of the 30th,
Spence of the 5th,
Spence of the 35th,
Stroud,
Swearingen,
Smith,
Stevens of the 6th,
Stevens of the 40th,
Tift,
Tye,
Twitty,
Tumlin,
Tharpe,
Underwood of the 31st,
Warren of the 1st,
Wellborn,
Westmoreland,
Williams,
Wilson,
Wofford.

Those voting in the negative were Messrs.—

Bass,
Brown,
Buchanan,
Burnett,
Bush,
Cain,
Collier,
Cooper,
Crane,
Dismuke,

Matthews,
McIntosh,
Mercier,
Mobley,
Mynatt,
Nisbet,
Newell,
Pace,
Pierce,
Perry,

Donaldson,
 DuBose,
 Ellington,
 Featherston,
 Field,
 Fontaine,
 Furlow,
 Gartrell,
 Guerry,
 Guerard,
 Gibbs,
 Hamilton of the 42d,
 Hawkins,
 Hammond of the 22d,
 Hammond of the 35th,
 Harris,
 Hardy,
 Heard,
 Hill,
 Hollifield,
 Hudson of the 25th,
 Hudson of the 29th,
 Ingram,
 Johnson of the 18th,
 Johnson of the 30th,
 Johnson of the 42d,
 Key,
 Lawton,
 Lawson,
 Lofton,
 Little,
 Lewis,
 Logino,

Phillips of the 18th,
 Phillips of the 36th,
 Porter,
 Ponder,
 Reese of the 28th,
 Reese of the 29th,
 Render,
 Rosser,
 Roberts,
 Robertson,
 Ross,
 Sanders,
 Sanford,
 Simmons,
 Stokes,
 Shepherd,
 Swanson,
 Screven,
 Toombs,
 Trammell,
 Thompson,
 Tuggle,
 Warren of the 23d,
 Wallace,
 Warthen,
 Wells,
 Whiddon,
 Wimberly,
 Willis,
 Wright,
 Winn, R. D.
 Winn, L. J.

Yeas 93.

Nays 85.

So the motion to strike out the proviso prevailed.

The reconsideration of Mr. Pace was taken up.

By consent, Mr. Warren, of the First, withdrew his substitute of yesterday, and offered the following in lieu of it, to-wit:

The House of Representatives shall consist of one hundred and six members, apportioned as follows: The forty-four Senatorial Districts shall constitute Representative Districts, and the six districts having the largest population, to-wit: the Thirty-fifth, First, Twenty-second, Thirty-sixth, Forty-second, and Eighteenth, shall have four Representatives each; the six districts having the next largest population, to-wit: the Twenty-seventh, Twentieth, Thirty-seventh, Twenty third, Twenty-fifth, and Thirteenth, shall have three Representatives each; the remaining thirty-two districts shall have two Representatives each.

Mr. Harrell moved to substitute as follows:

The forty-four Senatorial Districts, as established by this Constitution, are hereby declared to be Representative Districts, and entitled to two Representatives each, except the First and Thirty-fifth Districts, which shall be entitled to four Representatives each; and the Eighteenth, Twenty-second, and Twenty-fourth Districts, which shall be entitled to three Representatives each.

Mr. Respass moved to lay the substitute of Mr. Harrell upon the table, which motion prevailed.

Mr. Gartrell moved to lay the amendment of Mr. Warren, of the First, upon the table.

Mr. Greer, of the Twenty-first, called for the yeas and nays.

The call was sustained, and the vote resulted as follows:

Those voting in the affirmative were Messrs.—

Anderson,	Key,
Bachlott,	Keller,
Brannen,	Lawson,
Braddy,	Little,
Burnett,	Matthews,
Bryan,	McCallum,
Boyd,	McIntosh,
Cain,	McLeod,
Camp,	McRea,
Carter,	Mercier,
Clifton,	Mershon,
Clark,	Mosely,
Chambers,	Nisbet,
Coney,	Osborne,
Coates,	Perry,
Creech,	Phillips of the 18h,
Davis of the 10th,	Ponder,
Day,	Polk,
Dell,	Reese of the 29th,
Dickey,	Rogers,
Dismuke,	Roberts,
Donaldson,	Robertson,
Edge,	Russell of the 1st,
Gartrell,	Russell of the 8th,
Guerry,	Sapp,
Garren,	Sanders,
Gay,	Sanford,
Guerard,	Seward,
Graham,	Simmons,
Gorman,	Scott of the 30th,
Grace,	Stokes,
Greer of the 21st,	Stroud,
Hamilton of the 21st,	Shepherd,

Hansell,	Swearingen,
Hammond of the 35th,	Screven,
Hall,	Smith,
Hand,	Stevens of the 6th,
Heard,	Toombs,
Hewell,	Tift,
Henry,	Twitty,
Heath,	Thompson,
Hicks,	Underwood of the 31st
Hollifield,	Westmoreland,
Hunt,	Wimberly,
Hudson of the 25th,	Wilson,
Ingram,	Willis,
Jenkins of the 10th,	Winn, R. D.
Johnson of the 18th,	Wofford.
Johnson of the 30th,	

Those voting in the negative were, Messrs.—

Awbrey,	Lowe,
Barrett,	Logino,
Bass,	McDonald,
Brown,	McFarland,
Buchanan,	Mobley,
Bush,	Moore,
Collier,	Mynatt,
Conley,	Newell,
Cooper,	Pace,
Crane,	Paris,
Davis of the 23d,	Pierce,
Denton,	Phillips of the 36th,
DuBose,	Porter,
Ellington,	Reese of the 28th,
Featherston,	Render,
Flewellen,	Respass,
Field,	Rosser,
Fontaine,	Ross,

Furman,
Furlow,
Glover,
Gignilliatt,
Gibbs,
Goff,
Greer of the 13th,
Hamilton of the 42nd,
Harrell,
Hawkins,
Harris,
Hardy,
Head,
Hill,
Holcombe,
Horne,
Jackson,
Johnson of the 42d,
Knight,
Lawton,
Lofton,
Lewis,

Rowe,
Sale,
Spence of the 5th,
Spence of the 35th,
Swanson,
Stevens of the 40th,
Trammell,
Tye,
Tuggle,
Tumlin,
Tharpe,
Warren of the 1st,
Warren of the 23d,
Wallace,
Warthen,
Wellborn,
Wells,
Whiddon,
Williams,
Wright,
Winn, L. J.

Yeas, 97.

Nays, 79.

So by a vote of yeas and nays the motion to lay upon the table prevailed.

Mr. Robertson offered the following substitute for the paragraph :

The House of Representatives shall consist of one hundred and forty-two members, appointed as follows : To each of the counties having a population of twenty thousand, or over, two representatives. The remaining¹ one hundred and thirty-two counties one representative each.

Mr. Johnson, of the Thirtieth, moved the adoption of the first paragraph of section three, and called the previous question.

Mr. Pierce raised a point of order that two motions could not be made by a member at the same time.

The President decided the point not well taken.

The call for the previous question was seconded, and the main question was put upon the substitute of Mr. Robertson.

Mr. Seward called for the yeas and nays.

The call was sustained, and the vote resulted as follows :

Those voting in the affirmative were, Messrs. :—

Awbrey,
Barrett,
Brannen,
Bass,
Brown,
Burnett,
Bryan,
Bush,
Camp,
Carter,
Clark,
Conley,
Coats,
Davis of the 23d,
Denton,
Dickey,
Edge,
Flewellen,
Field,
Furman,
Glover,
Graham,

Logino,
McDonald,
McCallum,
McIntosh,
McFarland,
Mosely,
Moore,
Newell,
Osborne,
Paris,
Pierce,
Phillips of the 36th,
Polk,
Reese of the 28th,
Render,
Respass,
Rogers,
Roberts,
Robertson,
Rowe,
Sale,
Sapp,

Gibbs,
Goff,
Greer of the 13th,
Greer of the 21st,
Hamilton of the 21st,
Hamilton of the 42d,
Harrell,
Hawkins,
Head,
Hewell,
Holcombe,
Horne,
Jackson,
Jenkins of the 10th,
Johnson of the 42d,
Key,
Knight ,
Lawson,
Low,

Scott of the 30th,
Spence of the 5th,
Spence of the 35th,
Shepherd,
Swearingen,
Smith,
Stevens of the 40th,
Trammell,
Tye,
Tumlin,
Tharpe,
Underwood of the 31st
Warren of the 23d,
Wellborn,
Westmoreland,
Whiddon,
Williams,
Wright,
Winn, L. J.

Those voting in the negative were Messrs :—

Anderson,
Bachlott,
Braddy,
Bristow,
Buchanan,
Boyd,
Cain,
Collier,
Clifton,
Chambers,
Coney,
Cooper,
Crane,
Creech,
Davis of the 10th,

Jones,
Johnson of the 18th,
Johnson of the 30th,
Keller,
Lawton,
Lofton,
Little,
Lewis,
Matthews,
McLeod,
McRea,
Mercier,
Mershon,
Moblely,
Mynatt,

Day,	Nisbet,
Dell,	Pace,
Dismuke,	Perry,
Donaldson,	Phillips of the 18th,
DuBose,	Porter,
Ellington,	Ponder,
Featherston,	Reese of the 29th,
Fontaine,	Rosser,
Furlow,	Ross,
Gartrell,	Russell of the 1st,
Gerry,	Russell of the 8th,
Garren,	Sanders,
Gay,	Sanford,
Guerard,	Seward,
Gignillatt,	Simmons,
Gorman,	Stokes,
Grace,	Stroud,
Hansell,	Swanson,
Hammond of the 22d,	Screven,
Hammond of the 35th,	Stevens of the 6th,
Harris,	Toombs,
Hall,	Tift,
Hand,	Twitty,
Hardy,	Thompson,
Heard,	Tuggle,
Henry,	Warren of the 1st,
Heath,	Wallace,
Hicks,	Warthen,
Hill,	Wells,
Hollifield,	Wimberly,
Hunt,	Wilson,
Hudson of the 25th,	Willis,
Hudson of the 29th,	Winn, R. D.,
Ingram,	Wofford.
Yeas, 82.	
Nays, 98.	

So, by a vote of yeas and nays, the substitute was lost, and the original paragraph was agreed to.

The hour of adjournment having arrived, the Convention adjourned until four o'clock, P. M.

AFTERNOON SESSION.

FOUR O'CLOCK.

The Convention met this afternoon, pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Mr. Wright moved to suspend the rules for the purpose of having read and referred to a committee the following resolution, which motion prevailed, to-wit :

Resolved, That the committee on the clerical force in the various Departments, investigate and report to this Convention as soon as practicable, whether the person appointed under the resolution of the General Assembly, passed March 6th, 1875, to "assist" the Treasurer "in systematizing the present manner of book-keeping in his office, to make a full and complete registry of all bonded obligations of the State now in the Treasury," etc., has completed the duties assigned him under said resolution; how much has been paid him for his services; and whether his services cannot be dispensed with.

The regular order was resumed.

Mr. Brown offered the following amendment to the second section :

The above apportionment shall be changed by the General

Assembly at its first session, after each census taken by the United States Government, so as to give to the six counties having the largest population three members each, and the twenty-six counties having the next largest population, two members each; but in no event shall the aggregate number of Representatives be increased.

The motion prevailed, and the paragraph, as amended, was agreed to.

Mr. Featherston moved to amend by striking out "two," and inserting: four, in first line of first paragraph, fourth section, of the report of the Committee on the Legislative Department.

Upon motion of Mr. Russell, of the Eighth, the motion was laid on the table.

Mr. Wofford moved to amend by striking out "two," and insert: annually, in first line of paragraph first.

Upon motion of Mr. Ingram the motion was laid upon the table.

The first paragraph of section four was agreed to.

Mr. Featherston offered the following amendment to the second paragraph, insert the words: every four years thereafter, after figures "1878," instead of the words, "and biennially thereafter on the same day."

Upon motion the amendment was laid upon the table.

Mr. Holcombe offered the following substitute for paragraph second, of section four:

The first election for members of the General Assembly under this Constitution, shall take place on the first

Wednesday in December, 1877, at which time this Constitution shall be submitted for ratification, and all the officers of the State government made elective under this Constitution, by the persons qualified to vote for members of the General Assembly, shall be elected at the same time, but the next election shall be on the first Wednesday in October, 1879, and biennially thereafter, on the same day until changed by law.

Mr. Toombs offered the following substitute, which was read :

The first meeting of the General Assembly, elected under this Constitution, shall be held on the first Wednesday in November, 1878, and biennially thereafter. The present General Assembly shall meet on the second Wednesday in January, 1878, as now required by law.

Mr. Pierce moved to lay the substitute of Mr. Holcombe upon the table.

Mr. Holcombe called for the yeas and nays.

The call was sustained, and the vote resulted as follows :

Those voting in the affirmative are Messrs.—

Anderson,	Little,
Awbrey,	Lewis,
Bachlott,	Lowe,
Brannen,	Logino,
Braddy,	Matthews,
Bass,	Mattox,
Bristow,	McDonald,
Buchanan,	McCallum,
Bryan,	McFarland,
Bush,	McRea,
Cain,	Mershon,

Carter,
Clifton,
Chambers,
Conley,
Coney,
Coats,
Cooper,
Crane,
Creech,
Davis of the 10th,
Davis of the 23d,
Day,
Dell,
Dickey,
Dismuke,
Donaldson,
DuBose,
Edge,
Ellington,
Featherston,
Flewellen,
Fontaine,
Furman,
Gartrell,
Guerry,
Gay,
Guerard,
Gignilliatt,
Graham,
Gorman,
Gibbs,
Grace,
Greer of the 13th,
Hamilton of the 21st,
Hamilton of the 42d,
Hawkins,

Mobley,
Moore,
Mynatt,
Nisbet,
Newell,
Pace,
Paris,
Pierce,
Perry,
Phillips of the 18th,
Phillips of the 36th,
Porter,
Ponder,
Polk,
Reese of the 28th,
Reese of the 29th,
Render,
Respass,
Rosser,
Rogers,
Robertson,
Ross,
Russell of the 1st,
Sapp,
Sanders,
Sandford,
Seward,
Simmons,
Sibley,
Scott of the 13th,
Stokes,
Spence of the 35th,
Stroud,
Shepherd,
Swanson,
Swearingen,

Hansell,	Screven,
Hammond of the 22d,	Smith,
Hammond of the 35th,	Stevens of the 6th,
Harris,	Stevens of the 40th,
Hall,	Toombs,
Hand,	Trammell,
Hardy,	Tift,
Heard,	Tye,
Hewell,	Twitty,
Heath,	Thompson,
Hill,	Tuggle,
Hollifield,	Tharpe,
Horne,	Warren of the 1st,
Hunt,	Warren of the 23d,
Hudson of the 25th,	Wallace,
Hudson of the 29th,	Warthen,
Ingram,	Wellborn,
Jackson,	Westmoreland,
Jones,	Wells,
Jenkins of the 10th,	Whiddon,
Johnson of the 18th,	Wimberly,
Johnson of the 30th,	Wilson,
Keller,	Willis,
Lawton,	Winn, R. D.
Lawson,	Wofford.
Lofton,	

Those voting in the negative are Messrs.—

Barrett,	Key,
Brown,	Knight,
Boyd,	McIntosh,
Camp,	McLeod,
Collier,	Mercier,
Clark,	Osborne,
Denton,	Roberts,

Field,	Russell of the 8th,
Furlow,	Sale,
Glover,	Scott of the 30th,
Goff,	Spence of the 5th,
Harrell,	Tumlin,
Head,	Underwood of the 31st
Henry,	Underwood of the 32d
Hicks,	Williams,
Holcombe,	Wright.
Johnson of the 42d,	

Yeas, 145.

Nays, 33.

So, by a vote of the yeas and nays, the motion to lay upon the table prevailed.

Mr. Gibbs moved to amend by striking out "Wednesday," in the forty-second line, and inserting : Tuesday.

The motion prevailed.

The second paragraph of the fourth section was agreed to as amended.

The substitute of Mr. Toombs was offered in lieu of paragraph three.

Mr. Underwood, of the Thirty-first, moved to lay the substitute of Mr. Toombs on the table.

Mr. Russell, of the Eighth, called for the yeas and nays.

The call was sustained, and the vote resulted as follows :

Those voting in the affirmative were Messrs. :

Bachlott,
Barrett,
Brannen,

Braddy,
Bass,
Brown,
Bryan,
Boyd,
Bush,
Camp,
Carter,
Collier,
Clark,
Conley,
Cooper,
Crane,
Davis of the 23d,
Denton,
Felds,
Fontaine,
Garren,
Glover,
Graham,
Gorman,
Gibbs,
Goff,
Hamilton of the 21st,
Hamilton of the 42d,
Harrell,
Hawkins,
Hall,
Hardy,
Head,
Henry,
Holcombe,
Hollifield,
Horne,

Jones,
Jenkins of the 10th,
Johnson of the 42d,

Key,
Lowe,
Logino,
McDonald,
McCallum,
McIntosh,
McFarland,
Mosely,
Moore,
Mynatt,
Osborne,
Paris,
Phillips of the 36th,
Polk,
Render,
Roberts,
Robertson,
Rowe,
Sale,
Sapp,
Sibley,
Scott of the 30th,
Spence of the 5th,
Shepherd,
Swanson,
Trammell,
Tye,
Tumlin,
Tharpe,
Underwood of the 31st
Underwood of the 32d
Westmoreland,
Wells,
Williams,

Ingram,
Jackson,

Wright.

Those voting in the negative were Messrs. —

Anderson,
Awbrey,
Bristow,
Buchanan,
Cain,
Clifton,
Chambers,
Coney,
Coats,
Creech,
Davis of the 10th,
Day,
Dell,
Dickey,
Donaldson,
DuBose,
Edge,
Ellington,
Featherston,
Flewellen,
Gartrell,
Guerry,
Gay,
Guerard,
Gignilliatt,
Greer of the 13th,
Hansell,
Hammond of the 22d,
Hammond of the 35th,
Harris,
Hand,
Heard,
Hewell,
Hicks,

McLeod,
McRea,
Mercier,
Mershon,
Mobley,
Nisbet,
Newell,
Pace,
Pierce,
Perry,
Phillips of the 18th,
Porter,
Ponder,
Reese of the 28th,
Reese of the 29th,
Respass,
Rosser,
Rogers,
Ross,
Russell of the 1st,
Russell of the 8th,
Seward,
Scott of the 13th,
Stokes,
Spence of the 5th,
Stroud,
Swearingen,
Screven,
Smith,
Stevens of the 6th,
Stevens of the 40th,
Toombs,
Tift,
Twitty,

Hill,
Hunt,
Hudson of the 29th,
Johnson of the 18th,
Johnson of the 30th,
Keller,
Knight,
Lawson.
Lofton,
Little,
Lewis,
Matthews,
Mattox,

Thompson,
Tuggle,
Warren of the 1st,
Warren of the 23d,
Wallace,
Warthen,
Wellborn,
Whiddon,
Wimberly,
Wilson,
Willis,
Winn, R. D.

Yeas 77.

Nays 93.

So, by a vote of yeas and nays, the motion to lay upon the table was lost.

Leave of absence was granted to Messrs. Burnett, Johnson, of the Eighteenth, May, and Greer of the Twenty-first.

Mr. Toombs moved to adjourn until eight and a half o'clock to-morrow morning, which motion prevailed, and the President declared the Convention adjourned until that hour.

ATLANTA, GEORGIA,

WEDNESDAY, August 15, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by Rev. Mr. Coats, of the Twenty-first District.

Messrs. Moore, Hamilton, of the Forty-second, and Chambers gave notice that they would move to reconsider certain portions of the Journal of yesterday.

Mr. Moore moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention upon the first paragraph of section three.

Upon motion of Mr. Trammell, the time of Mr. Moore was extended indefinitely.

Mr. Ingram moved to lay the motion to reconsider upon the table, which prevailed.

Mr. Hamilton, of the Forty-second, moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention upon paragraph second of the fourth section of the report.

The motion to reconsider prevailed.

Mr. Chambers withdrew his motion to reconsider.

By general consent of the House, the matter of representation of Clarke county was postponed until the return of Mr. Barrow, of the Twenty-first District.

The reconsideration of Mr. Hamilton, of the Forty-second, was taken up.

Mr. Hamilton, of the Forty-second, offered the following as a substitute for paragraph two, of section four:

The first election for members of the General Assembly, under this Constitution, shall take place on the first Wednesday in December, 1877, and the second election for the same shall be held on the first Wednesday in October,

1880, and biennially thereafter, until the day of election is changed by law.

Mr. Hammond, of the Thirty-fifth, called for a division of the question, and the motion to strike out "Tuesday" and insert: Wednesday, was put and agreed to.

The second portion of the substitute was put.

Mr. Tift called for the yeas and nays.

The call was sustained, and the vote resulted as follows:

Those voting in the affirmative were Messrs.—

Anderson,	Logino,
Awbrey,	McDonald,
Barrett,	McCallum,
Brannen,	McIntosh,
Braddy,	McFarland,
Bass,	McLeod,
Brown,	Mosely,
Burnett,	Moore,
Bryan,	Mynatt,
Boyd,	Osborne,
Bush,	Phillips of the 18th,
Camp,	Phillips of the 36th,
Carter,	Polk,
Collier,	Reese of the 29th,
Clark,	Render,
Chambers,	Respass,
Conley,	Roberts,
Cooper,	Robertson,
Crane,	Ross,
Davis of the 10th,	Rowe,
Davis of the 23d,	Sale,
Denton,	Sapp,
Fain,	Sanford,
Flewellen,	Simmons,
Field,	Sibley,
Furlow,	Scott of the 30th,
Gartrell,	Spence of the 5th,
Glover	Spence of the 35th,

Graham,	Stroud,
Gibbs,	Shepherd,
Grace,	Swanson,
Goff,	Swearingen,
Greer of the 13th,	Trammell,
Hamilton of the 21st,	Tift,
Hamilton of the 42d,	Tye.
Hawkins,	Tuggle.
Hall,	Tumlin,
Hardy,	Tharpe,
Head,	Underwood of the 31st
Henry,	Underwood of the 32d
Holcombe,	Westmoreland,
Horne,	Wells,
Hunt,	Whiddon,
Jackson,	Williams,
Jones,	Wright,
Jenkins of the 10th,	Winn, L. J.,
Johnson of the 42d,	Wofford.
Key,	

Those voting in the negative were Messrs.—

Bachlott,	Lawson,
Bristow,	Lofton,
Buchanan,	Little,
Cain,	Lewis,
Clifton,	Matthews,
Chancy,	Mattox,
Coney,	McRea,
Coats,	Mercier,
Creech,	Mershon,
Day,	Mobley,
Dell,	Nisbet,
Dickey,	Pace,
Dismuke,	Paris,
Donaldson,	Pierce,
DuBose,	Perry,
Edge,	Porter,

Ellington,
Featherston,
Fontaine,
Furman,
Guerry,
Garren,
Gay,
Guerard,
Gignilliatt,
Gorman,
Harrell,
Hansell,
Hammond of the 22d,
Hammond of the 35th,
Harris,
Hand,
Heard,
Hewell,
Heath,
Hicks,
Hollifield,
Hudson of the 29th,
Ingram,
Johnson of the 30th,
Keller,
Knight,
Lawton,

Ponder,
Reese of the 28th,
Rosser,
Rogers,
Russell of the 1st,
Russell of the 8th,
Sanders,
Seward,
Scott of the 13th,
Stokes,
Screven,
Smith,
Stevens of the 6th,
Stevens of the 40th.
Toombs,
Twitty,
Thompson.
Warren of the 1st,
Warren of the 23d,
Wallace,
Warthen,
Wellborn,
Wimberly,
Wilson,
Willis,
Winn, R. D.

Yeas, 95.

Nays, 85.

So, by a vote of yeas and nays, the substitute was agreed to.

A memorial from the State Agricultural Society was read, and, upon motion of Mr. Hamilton, was laid upon the table for further consideration.

Privilege resolutions, inviting Hon. John C. Nicholls, of Pierce county, and Hon. H. R. Harris, member of Congress, to seats in the Hall during their stay in the city, were read and agreed to.

Leave of absence was granted to Messrs. Hill, Jenkins, of the Tenth, Lowe, and Howell.

Mr. Mattox moved that the Hon. J. M. Smith, of Oglethorpe county, be invited to a seat upon the floor during stay his in the city.

Mr. Spence, of the Thirty-fifth, moved to amend by adding the name of Hon. B. H. Hill.

The amendment was accepted, and the motion agreed to.

The regular order was resumed.

Mr. Trammell moved to adopt the third paragraph, as amended, which motion prevailed.

Mr. Davis, of the Tenth, moved to amend the third paragraph by adding the following :

Provided, That nothing herein shall be construed to prevent the Governor of Georgia from calling an extra session of the General Assembly before the first Wednesday in November, 1878, if a necessity exists therefor, and the public good should require it.

Mr. Flewellen offered the following substitute for the third paragraph :

The present General Assembly shall meet on the second Wednesday in January next, as now provided, and the General Assembly to be elected on the first Wednesday in December, 1877, shall meet on the first Wednesday in

November, 1880, and biennially thereafter, on the same day, until changed by law, unless sooner convened by the Governor.

The amendment of Mr. Davis was put, and agreed to.

Mr. Render moved to amend by adding the following : until the day of meeting shall be changed by law.

Mr. Holcombe moved to lay upon the table.

The motion was lost.

The motion of Mr. Render was put, and agreed to.

The substitute of Mr. Flewellen was put, and lost.

The third paragraph, as amended, was agreed to.

The fourth paragraph was agreed to.

Mr. Key offered the following additional paragraph :

Every Senator, or Representative, before taking his seat, shall take the following oath or affirmation, to-wit : " That I will support the Constitution of this State, and of the United States ; and that in all questions and measures which may come before me, I will give my vote, and so conduct myself as will, in my judgment, be most conducive to the interest and prosperity of the State."

The amendment of Mr. Key was agreed to.

Mr. Underwood moved to amend section four, paragraph five as follows : by striking out " forty," in the thirty-fifth line, and inserting : thirty.

Upon motion of Mr. Russell, of the Eighth, the amendment was laid upon the table.

Mr. Reese moved to strike out the words "each House," and insert the words: Unless by a two-thirds vote of the whole number of each House.

The amendment of Mr. Reese was agreed to.

Paragraph five, as amended, was agreed to.

Paragraph six was agreed to.

Paragraph seven was agreed to.

Mr. Johnson, of the Thirtieth, moved to amend paragraph one of section five by striking out "thirty" and inserting: twenty-five.

The motion prevailed.

Mr. Ingram moved to amend by striking out "two" and inserting, in the sixty-fifth line: four.

The motion of Mr. Ingram prevailed.

The first paragraph of the fifth section was agreed to as amended.

The second paragraph was agreed to.

The third paragraph was agreed to.

Mr. Hammond, of the Thirty-fifth, moved to amend paragraph four by inserting the words: of the Supreme Court, after "Judge," in the seventy-second line.

The motion prevailed.

The fourth paragraph, as amended, was agreed to.

The fifth paragraph was agreed to.

Mr. Ingram moved to amend the first paragraph of section six by striking out "one," and inserting: two.

The motion prevailed.

Mr. Grace moved to strike out "twenty-one" and insert: twenty-five.

Upon motion of Mr. Mercier, the amendment was laid upon the table.

Mr. Bachlott moved to strike out "six months," in the seventy ninth line, and insert: one year.

The motion prevailed.

The first paragraph, as amended, was agreed to.

The second paragraph was agreed to.

The third paragraph was agreed to.

The first paragraph of section seven was agreed to.

The second paragraph was agreed to.

Mr. Key offered the following amendment to paragraph three: by inserting, after "presence," in the ninety-second line: or who shall attempt or threaten injury to the person or estate of any member for anything said or done in either House, or who shall assault or arrest any witness going or returning therefrom.

Upon motion of Mr. Creech, the amendment was laid upon the table.

The third paragraph was agreed to.

The fourth paragraph was agreed to.

The fifth paragraph was agreed to.

The sixth paragraph was agreed to.

The seventh paragraph was agreed to.

The eighth paragraph was agreed to.

The ninth paragraph was agreed to.

The tenth paragraph was agreed to.

The eleventh paragraph was agreed to.

Mr. Simmons moved to strike out "paragraph twelve," of the report.

Mr. Hand moved to lay the motion upon the table, which was lost.

The motion of Mr. Simmons was put and lost.

The twelfth paragraph was agreed to.

The thirteenth paragraph was agreed to.

Mr. Willis offered the following substitute for the fourteenth paragraph :

The Legislature of this State shall not have power or authority to pass any local law. If it becomes necessary for any county in this State to have a local law for its own government and benefit, then the grand jury of said county shall have authority to pass the same ; and it shall be the duty of the Judge of the Superior Court presiding in and for said county, to pass an order submitting the law so passed, on a day therein to be specified, to the vote of the legally qualified voters of said county, and if a majority of

said voters vote in favor of said law, then it shall be the law of that county, and have the same force and effect as if passed by the Legislature of this State.

Mr. Hammond, of the Twenty-second, moved to lay the substitute upon the table, which motion prevailed.

Mr. Tift offered the following substitute :

The General Assembly shall pass general laws providing for all cases which, in its judgment, may be provided for by general laws. The Legislature shall pass no special act conferring corporate powers, but they shall pass general laws under which corporations may be organized and corporate powers of every nature obtained.

Mr. Hudson, of the Twenty-ninth, moved to lay the substitute upon the table, which motion prevailed.

Mr. Little offered the following proviso :

Provided, That the General Assembly shall have power to confer on county authorities jurisdiction over purely local matters, not affecting any other county.

Mr. Twitty moved to lay the proviso upon the table, which motion was lost.

Mr. Key moved to postpone the paragraph until the eighteenth paragraph shall have been reached.

The amendment of Mr. Little was put, and lost.

Mr. Tift moved to again offer a part of his substitute for the fourteenth paragraph.

The President decided the motion not in order.

Mr. Matthews offered the following proviso for the fourteenth paragraph :

Provided, The General Assembly may pass general laws providing for all laws of local character, which, in its judgment, may be provided for general laws, not inconsistent with other provisions of this Constitution.

Mr. Creech moved to lay the proviso upon the table, which motion prevailed.

Mr. Mobley moved the adoption of the paragraph as reported by the committee, which was agreed to.

The fifteenth paragraph was agreed to.

The sixteenth paragraph was agreed to.

Mr. Knight moved to add the following to the seventeenth paragraph: and shall be passed by a two-thirds majority of the General Assembly.

Mr. Tift offered the following substitute for the seventeenth paragraph :

No law shall be revised, or amended, by reference to its title only, but the act revised, or the section, or sections, amended, shall be inserted at length.

Mr. DuBose moved to lay the substitute upon the table, which motion prevailed.

Mr. Crane moved to lay the amendment of Mr. Knight upon the table, which motion prevailed.

The seventeenth paragraph was agreed to.

Mr. Key offered the following amendment to the eighteenth paragraph :

Strike out all after "legitimate children," in one hundred

and forty-sixth line, and adding the following : Nor to consolidate county offices ; nor to change the times of holding the Superior Courts, or counties from one circuit to another, or the pay of jurors in any particular county ; or to incorporate churches, academies, fish-ponds, towns, or cities ; or to regulate the sale or retail of spirituous or malt liquors within any particular locality ; or to relieve any person from liability on forfeited recognizances ; or any other species of local legislation. But the General Assembly shall prescribe, by a general law, the manner in which such powers shall be exercised by the courts, or the people, at an election held for that purpose.

Mr. Russell, of the Eighth, moved to lay upon the table, which motion prevailed.

Mr. Reese, of the Twenty-ninth, moved to amend by striking out the words " mining, lumber and manufacturing," in the 144th and 145th lines.

Mr. Tift moved to amend the amendment by striking out " except banking, insurance, railroad, canal, navigation, mining, express, lumber, manufacturing and telegraph companies."

Mr. DuBose moved to lay the amendment of Mr. Tift upon the table, which motion prevailed.

The amendment of Mr. Reese was put and agreed to.

The eighteenth paragraph, as amended, was agreed to.

Mr. Reese, of the Twenty-eighth, offered the following, as an additional paragraph :

The General Assembly shall have no power to relieve principals or securities upon forfeited recognizances from

the payment thereof, either before or after judgment thereon.

Mr. Chambers offered the following amendment to the amendment of Mr. Reese, which was accepted by Mr. Reese :

Unless the principal on the recognizance shall have been apprehended, and placed in the custody of the proper officers.

Mr. Dell moved that the amendment be laid upon the table, which motion was lost.

The amendment of Mr. Reese, as amended, was put and agreed to.

Mr. Wallace moved to amend the nineteenth paragraph by inserting: incorporated, before the word "town" in second line.

The motion prevailed.

The nineteenth paragraph, as amended, was agreed to.

Mr. Guerry moved a suspension of the rules for the purpose of considering a resolution, which motion prevailed.

The resolution was read as follows :

Resolved, That the Treasurer of the State of Georgia be authorized to pay T. W. Barnes the amount of his bill for renovating and furnishing locks, and carpenter work, and repairing desks, when the same shall have been examined and approved by the Secretary of this Convention, and the chairman of the Auditing Committee.

Mr. Seward moved to amend by inserting the following:

Resolved, That the Treasurer be, and he is hereby, authorized to pay J. T. Taylor, clerk of the Committee of Final Revision, the sum of four dollars per day for his service rendered said committee, during the session of this Constitutional Convention.

The hour of adjournment having arrived, the President announced that the Convention was adjourned until four o'clock, P.M.

AFTERNOON SESSION.

FOUR O'CLOCK.

The Convention met pursuant to adjournment, President Jenkins, in the chair.

The resolutions, which were under consideration at the time of adjournment, were taken up.

The resolution of Mr. Guerry was withdrawn.

The resolution of Mr. Seward was put and agreed to.

Mr. Wells presented a memorial from the citizens of Sumter county, a portion of which was read, and, upon motion of Mr. Warren, of the First, the memorial was laid upon the table.

Mr. Trammell moved that the memorial, purporting to be from the citizens of Sumter county, be excluded from the Journal, on the ground that it is disrespectful in its terms.

The motion prevailed.

The unfinished business of the morning was resumed.

Mr. Brown offered the following amendment to nineteenth paragraph, by striking out "local" and inserting : corporate, in forty-second line.

The amendment was agreed to.

The nineteenth paragraph, as amended, was agreed to.

The twentieth paragraph was agreed to.

Mr. Rosser offered the following additional paragraph :

At each and every election by the General Assembly for officers, as provided in the Constitution, after the third ballot, should there be no election, all the candidates voted for shall be dropped except the highest, and, upon the next ballot, should there be no election, the one having the lowest vote, shall be dropped. In the event of a tie, the presiding officer shall cast the deciding vote.

Mr. Johnson, of the Thirtieth, moved to lay upon the table, which motion prevailed.

The twenty-first paragraph was agreed to.

Mr. Reese, of the Twenty-ninth, moved to amend the twenty-second paragraph by adding the words: except, also, in case of the prolongation of the sessions of the General Assembly.

The motion prevailed.

The twenty-second paragraph, as amended, was agreed to

The twenty-third paragraph was agreed to.

Mr. Ross offered the following additional paragraph :

To secure a proper selection of Judges and Solicitors General, it is enacted, as follows: That the presiding Justice of the Supreme Court, or, in his absence, any justice of that court, or Judge of the Superior Court, shall, upon being notified that the two branches of the General Assembly are ready to proceed to any election of a Judge, or Judges, or Solicitors General, before said election, administer to said members the following oath, which shall be taken, each standing in his place: You, and each of you, do solemnly swear, or affirm, in presence of Almighty God, that, in the vote, or votes, you are about to cast for Judge, or Judges, and Solicitor General, in this election, you will so vote simply and solely for the purpose of selecting an upright, capable and proper Judge, Solicitors General, without personal favor, affection, reward, or the hope thereof. So help you God.

Mr. Dismuke moved that the additional paragraph be laid on the table, which motion prevailed.

Mr. Mosely offered the following amendment to paragraph one, of section eight: strike out "sixty," in the 165th line, and insert: forty; also, the word "seventy," in the 166th line, and insert: fifty.

Mr. Featherston offered the following amendment: strike out the word "sixty," and insert: forty, in the 165th line; and strike out the word "seventy" and insert: fifty, in the 166th line.

The amendment of Mr. Featherston was put and lost.

Mr. Hamilton, of the Forty-second, moved to lay the amendment of Mr. Mosely upon the table, which motion prevailed.

The paragraph was agreed to.

Mr. Osborne moved to strike out the word "be," in the first line, and insert: not to exceed four dollars.

The motion prevailed.

Mr. Mershon moved to amend by striking out "four," in the 169th line, and inserting: five.

Mr. Grace moved to lay upon the table, which prevailed.

Mr. Respass moved to insert, after the word "capital," the following: but the General Assembly may appropriate more than four dollars per day to the President of the Senate, and Speaker of the House of Representatives, not to exceed eight dollars per day.

Mr. Hudson, of the Twenty-ninth, offered the following:

Except only, that the President of the Senate, and Speaker of the House of Representatives, shall each receive not exceeding seven dollars per day.

Mr. Thompson moved to amend by inserting, after the word "and," in 169th line, the words: they shall receive.

The amendment of Mr. Respass was put, and lost.

Mr. Tift moved to amend the amendment of Mr. Hudson by striking out "seven" and inserting: six.

The amendment was lost.

The motion of Mr. Hudson was put, and prevailed.

Mr. Hammond, of the Thirty-fifth, moved to amend, by

adding the words; and mileage shall not exceed, before the words "ten cents."

The motion prevailed.

Mr. Greer, of the Twenty-first, moved to strike out the words "per day," which motion prevailed.

Mr. Mattox moved to insert, after "travel," the words: on nearest practicable route.

The motion prevailed.

Mr. Lawton moved to amend by adding: But the General Assembly may, at any time, by a vote of two-thirds of each branch, fix another or different mode of compensation of members: *Provided*, such a change shall not apply to the members of the General Assembly passing such law.

Upon motion of Mr. Brown, the amendment was laid upon the table.

The ninth section was agreed to.

Mr. Tuggle offered the following additional paragraph:

All elections by the General Assembly shall be *viva voce*, and the vote shall appear on the Journal of the House of Representatives; and where the Senate and House of Representatives unite for the purpose of electing, they shall meet in the Representative Chamber, and the President of the Senate shall, in such cases, preside, and declare the result.

The additional paragraph was agreed to.

Mr. Tilt offered the following additional paragraph:

The General Assembly may provide by law for the reversion to the State of wild or unimproved taxable land, at any time after three years' State taxes due thereon, together with legal costs, shall be due and unpaid ; and thereafter the State shall offer such lands, described by lots, according to the original survey, for a grant fee of one hundred dollars per lot the first year ; seventy-five dollars per lot the second year ; fifty dollars per lot the third year, and twenty-five dollars per lot after that time ; and the money arising from the grants of such lands shall constitute a capital fund for the support of common schools, the principal of which shall be safely invested, and be inviolate, and the interest shall be applied annually for the support of common schools.

Mr. Creech moved to lay the amendment upon the table, which motion prevailed.

The addition to the report was taken up.

Mr. Warren, of the First, moved to strike out the first paragraph.

The motion was lost.

The first section was agreed to.

Mr. Hammond, of the Thirty-fifth, moved to amend first paragraph, of second section, by striking out "the first sentence," and also by striking out "shall" and inserting : may, in the second and fourth lines.

Mr. Lawson moved that the session be extended until Mr. Gartrell, who was addressing the Convention, shall have concluded his remarks.

The motion prevailed.

Mr. Gartrell offered the following substitute :

Railroads heretofore constructed, or that may hereafter be constructed in this State, are hereby declared public highways, in so far as to be free to all persons for the transportation of their persons and property thereon, under such regulations as may be prescribed by law, and railroad companies common carriers. The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs, and shall, from time to time, pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freights on said railroad, and enforce all such laws by adequate penalties.

The president declared the Convention adjourned until to-morrow morning, at half-past eight o'clock.

ATLANTA, GEORGIA,
THURSDAY, August 16, 1877.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Prayer by Rev. Mr. Tharpe.

Mr. Tuggle moved to reconsider so much of the Journal of yesterday in adopting the substitute of Mr. Hamilton, for paragraph second of section second, of report on the Legislative Department.

A point of order was raised, and the chair decided that the motion to reconsider was out of order.

Mr. Tuggle appealed from the decision of the chair, which appeal was not sustained.

Mr. Matthews moved to reconsider paragraph fourteen of section seven, in reference to local legislation.

The motion to reconsider was laid on the table.

Mr. Tift called for the yeas and nays on the motion to table, which call was not sustained.

Mr. Brown moved to reconsider so much of the Journal of yesterday as referred to the action of the Convention in adopting section one of the additional offered as an amendment by Mr. Toombs to the report on the Legislative Department.

Mr. Hudson of the twenty-ninth district, moved to lay the motion to reconsider on the table.

The motion to lay on the table prevailed.

Mr. Johnson of the thirtieth district, offered a resolution inviting Hon. B. F. Ligon, ex-Lieutenant Governor of Alabama, to a seat on the floor.

The names of Messrs. Cox, Graham and Goodman were added, and the resolution was adopted.

Upon motion of Mr. Jenkins of the eighteenth, the amendments offered by Mr. Toombs to the original report, were taken up, and considered by paragraphs.

Leave of absence was granted Messrs. Casey, Polk, Bush and Keller.

A memorial from the Citizens Grange of Richmond, asking that the Agricultural Bureau be not abolished, was read and referred to the Committee of Final Revision.

The regular order of business was then taken up.

Mr. Mynatt offered the following amendment to paragraph one of section two, to-wit: And it shall not be lawful for them to charge for freights or passengers a greater amount for the transportation of the same for a less distance than the amount charged for any greater distance, nor to charge more for freights and passengers going in one direction than for the same class of freights or passengers going in an opposite direction over the same portion and distance of the same line, nor shall they make combinations to divide earnings except upon the basis of the actual earnings of each road.

Upon motion of Mr. Warren, of the First, the time of each member, during the debate on the railroad freight tariff, shall be ten minutes each.

Mr. Flewellen offered the following as a substitute for Mr. Hammond's (of the Thirty-fifth) amendment, to-wit: Railroad companies now existing, or hereafter to be constructed in this State, are hereby declared common carriers.

Mr. Dismuke moved to lay the substitute on the table, which motion to lay on the table prevailed.

The amendment of Mr. Hammond, of the Thirty-fifth, to strike out "shall" and insert: may, in the original amendment, was lost.

Mr. Gartrell moved to amend the original section, as offered by Mr. Toombs, by inserting after the word "highways," in fourth line, the words: In so far as to be free to all persons for transportation of person and property thereon, under such regulations as may be prescribed by law.

Mr. Coats offered the following as a further amendment,

to-wit : Railways heretofore constructed are declared public highways for travel or transportation under regulation of law ; and railroad companies are declared to be common carriers.

The hour of adjournment having arrived, the Convention adjourned until four o'clock P. M.

AFTERNOON SESSION.

The Convention met pursuant to adjournment, President Jenkins in the chair.

The unfinished business of the morning session was resumed.

Mr. Collier moved the following amendment to Mr. Mynatt's amendment, to-wit : by adding the words "in the transportation of local freights," and also by striking out the words "and passengers" wherever they occur.

The amendment was accepted by Mr. Mynatt.

Mr. Mynatt withdrew his amendment.

Pending the discussion of the unfinished business, the Convention adjourned until eight and a half o'clock tomorrow morning.

ATLANTA, GEORGIA,

FRIDAY, August 17, 1877.

The Convention met pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by the Rev. Edge, of Twenty-first District.

Mr. Edge moved to suspend the rules for the purpose of considering an ordinance.

The motion prevailed.

The ordinance was read as follows :

WHEREAS, The Treasurer of this State, under the official advice of the Attorney General, declines to pay the members of this Convention their per diem and mileage to an amount exceeding the sum appropriated by the General Assembly for the same; and, whereas, under the strictest economy, and the most rigid reform, the expenses of the Convention have already exceeded that amount; therefore, be it ordained: That the President of this Convention be, and he is hereby authorized to appoint a committee of nine, consisting of one from each Congressional District in this State, whose duty it shall be consider and provide ample ways and means to negotiate the loan of a sufficient sum of money to defray the expenses of this Convention.

Mr. Perry offered the following as a substitute :

WHEREAS, The Georgia Legislature, for *per diem* alone, spent \$60,000 at the last session of the same, besides mileage and printing, but in a spirit of economy, appropriated only \$25,000 for the entire expenses of this Convention; and, whereas, the Treasurer of the State refuses to pay further expenses of the Convention for want of legal authority, as he claims,

Resolved, That this Convention will continue to the completion of the Constitution, though each member should be compelled to draw upon his private means in order to meet his own expenses.

Mr. Brown moved to strike out the preamble of the substitute, which motion prevailed.

Mr. Hunt moved to lay the substitute upon the table, which motion prevailed.

Mr. Hunt moved to lay the original ordinance upon the table, which motion was lost.

Mr. Hammond, of the Thirty-fifth District, moved to strike out all after "consider," and add : and report to the Convention what is proper to be done in the premises.

The ordinance, as amended, was agreed to.

A communication was read from T. P. Branch, of Augusta, in reference to claims against the State of Georgia.

Mr. Harrell moved to lay upon the table, which motion was lost.

Mr. Mershon moved to refer the memorial to the Attorney General, which motion was laid upon the table.

Mr. Gignilliatt moved that the memorial be referred to the Committee of Final Revision.

Mr. Harrell called for the yeas and nays.

The call was not sustained ; and the motion to refer to the Committee of Final Revision prevailed.

The regular order of business was resumed.

Mr. Reese moved to lay upon the table the amendment of Mr. Gartrell, as amended by Mr. Coats.

The motion prevailed.

Mr. Warren, of the First, offered the following as a substitute for the substitute of Mr. Reese :

SECTION 1. Railroad companies operating railroads in this State are hereby declared to be common carriers. The General Assembly shall have power to pass laws regulating freights and passenger fares on railroads; and, when the local freights are unreasonable and extortionate, it shall be the duty of the General Assembly to pass such laws. The General Assembly shall, from time to time, establish maximum rates of freight and passenger fare in this State, which shall be uniform on all railroads in the State, and which are just to the people, and not destructive of the property or rights of the stockholders and creditors of the railroad companies; and such as shall make no discrimination, nor give any advantage to the people along the line of a railroad in one section of the State over those living near, and having business relations with a railroad, in any other section of the State. But such laws shall not destroy the distinctions between local and through freights, which exist, and are recognized, generally, throughout the United States. Nor shall they be so framed or executed as to cut off through business, or to drive through business by making the rates upon it uniform with local business, or to drive through business around the State, which would otherwise pass over the railroads of this State. Nor shall they give competing lines between commercial centres, which pass around the State, such advantage over the lines passing through the State, as to cripple the latter, and divert their business in favor of the lines outside of the State. Nor shall they give any advantage to one line over another competing line in this State. Rebates shall never be paid, directly or indirectly, by any railroad company in this State, on any through or competitive business.

Mr. Reese, of the Twenty-eighth, called for the previous question.

The call was not sustained.

Upon motion of Mr. Hammond, of the Twenty-second, the morning session was extended until the conclusion of the argument of Mr. Toombs.

The President declared the Convention adjourned until four o'clock P. M.

AFTERNOON SESSION.

FOUR O'CLOCK.

The Convention met this afternoon, pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Mr. Hudson, of the Twenty-ninth, moved to lay the amendment of Mr. Reese, of the Twenty-eighth, and the substitute of Mr. Warren upon the table.

A division of the question was called for, and the motion to lay upon the table Mr. Warren's substitute was put.

Mr. Dismuke called for the yeas and nays.

The call was sustained, and the vote resulted as follows:

Those voting in the affirmative were, Messrs.—

Anderson,
Awbrey,
Brannen,
Bristow,
Boyd,

Hudson of the 29th,
Jackson,
Jones,
Johnson of the 19th,
Johnson of the 42d,

Bush,
 Cain,
 Collier,
 Clifton,
 Coney,
 Cooper,
 Crane,
 Creech,
 Dismuke,
 Donaldson,
 DuBose,
 Edge,
 Ellington,
 Fontaine,
 Furman,
 Furlow,
 Gartrell,
 Guerry,
 Garren,
 Gay,
 Glover,
 Gorman,
 Hamilton of the 21st,
 Harrell,
 Hammond of the 22d,
 Hand,
 Hardy,
 Head,
 Heard,
 Hewell,
 Henry,
 Heath,
 Hicks,
 Hollifield,
 Hudson of the 25th,

Knight ,
 Little,
 Lewis,
 McDonald,
 McLeod,
 McRea,
 Mercier,
 Mobley,
 Mosely,
 Mynatt,
 Newell,
 Osborne,
 Pierce,
 Phillips of the 36th,
 Porter,
 Ponder,
 Rogers,
 Rowe,
 Seward,
 Scott of the 13th,
 Stokes,
 Spence of the 5th,
 Spence of the 35th,
 Swanson,
 Stevens of the 6th,
 Toombs,
 Tye,
 Underwood of the 32d,
 Westmoreland,
 Wells,
 Whiddon,
 Wimberly,
 Wilson,
 Willis,
 Wright.

Those voting in the negative were Messrs.—.

Bachlott,	Matthews,
Barrett,	Mattox,
Barrow,	McCallum,
Braddy,	McIntosh,
Bass,	McFarland,
Brown,	Mershon,
Buchanan,	Moore,
Burnett,	Nisbet,
Camp,	Pace,
Carter,	Paris,
Clark,	Perry,
Chambers,	Phillips of the 18th,
Conley,	Reese of the 28th,
Coats,	Reese of the 29th,
Davis of the 10th,	Render,
Davis of the 23d,	Rosser,
Day,	Roberts,
Dell,	Robertson,
Denton,	Ross,
Dickey,	Russell of the 1st,
Fain,	Russell of the 8th,
Featherston,	Sale,
Flewellen,	Sanders,
Field,	Sanford,
Guerard,	Simmons,
Gignilliatt,	Sibley,
Gibbs,	Scott of the 30th,
Grace,	Shepherd,
Goff,	Swearingen,
Greer of the 13th,	Screven,
Greer of the 21st,	Smith,
Hamilton of the 42d,	Stevens of the 40th,
Hawkins,	Trammell,
Hansell,	Tift,
Hammond of the 35th,	Twitty,

Hall,	Thompson,
Holcombe,	Tuggle,
Horne,	Tumlin,
Hunt,	Tharpe,
Ingram,	Underwood of the 31st
Johnson of the 18th,	Warren of the 1st,
Johnson of the 30th,	Warren of the 23d,
Key,	Wallace,
Lawton,	Wellborn,
Lawson,	Williams,
Lowe,	Winn, L. J.
Logino,	Wofford.
May,	

Yeas, 80.

Nays, 95.

So by a vote of yeas and nays, the motion to lay upon the table was lost.

The motion to lay the substitute of Mr. Reese upon the table was put, and prevailed.

Mr. Hudson, of the Twenty-ninth, called the previous question.

The call was sustained, and the substitute of Mr. Warren, of the First, was put.

Mr. Hudson, of the Twenty-ninth, called for the yeas and nays.

The call was sustained, and the vote resulted as follows :

Those voting in the affirmative were Messrs.—

Anderson,
Bachlott,

Matthews,
Mattox,

Barrow,	McCallum,
Braddy,	McIntosh,
Bass,	McFarland,
Brown,	Mershon,
Buchanan,	Mosely,
Burnett,	Moore,
Cain,	Nisbet,
Camp,	Pace,
Carter,	Paris,
Collier,	Perry,
Clifton,	Phillips of the 18th,
Clark,	Reese of the 28th,
Conley,	Reese of the 29th,
Coates,	Render,
Davis of the 10th,	Rosser,
Davis of the 23d,	Roberts,
Day,	Robertson,
Dell,	Ross,
Denton,	Russell of the 1st,
Dickey,	Russell of the 8th,
Fain,	Sale,
Featherston,	Sanders,
Flewellen,	Sanford,
Field,	Simmons,
Guerard,	Sibley,
Gignilliat,	Scott of the 30th,
Gibbs,	Shepherd,
Grace,	Swanson,
Goff,	Swearingen,
Greer of the 13th,	Screven,
Greer of the 21st,	Smith,
Hamilton of the 42d,	Stevens of the 40th,
Hawkins,	Trammell,
Hansell,	Tift,
Hammond of the 35th,	Twitty,
Hall,	Thompson,

Hardy,
Holcombe,
Horne,
Hunt,
Ingram,
Johnson of the 18th,
Johnson of the 30th,
Lawton,
Lawson,
Lowe,
Logino,
May,

Tuggle,
Tumlin,
Tharpe,
Underwood of the 31st,
Underwood of the 32d,
Warren of the 1st,
Warren of the 23d,
Wallace,
Wellborn,
Williams,
Winn, L. J.
Wofford.

Those voting in the negative were, Messrs.—

Awbrey,
Barrett,
Brannen,
Bristow,
Boyd,
Bush,
Chambers,
Coney,
Cooper,
Crane,
Creech,
Dismuke,
Donaldson,
DuBose,
Edge,
Ellington,
Fontaine,
Furman,
Furlow,
Gartrell,
Guerry,
Garren,

Jackson,
Jones,
Johnson of the 19th,
Johnson of the 42d,
Key,
Knight,
Little,
Lewis,
McDonald,
McLeod,
McRea,
Mercier,
Mobley,
Mynatt,
Newell,
Osborne,
Pierce,
Phillips of the 36th,
Porter,
Ponder,
Respass,
Rogers,

Gay,	Rowe,
Glover,	Seward,
Gorman,	Scott of the 13th,
Hamilton of the 21st,	Stokes,
Harrell,	Spence of the 5th,
Hammond of the 22d,	Spence of the 35th,
Hand,	Stevens of the 6th,
Head,	Toombs,
Heard,	Tye,
Hewell,	Westmoreland,
Henry,	Wells,
Heath,	Whidden,
Hicks,	Wimberly,
Hollifield,	Wilson,
Hudson of the 25th,	Willis,
Hudson of the 29th,	Wright.

Yeas, 100.

Nays, 76.

So, by a vote of yeas and nays, the substitute was received in lieu of the original paragraph, and the substitute was adopted.

The President announced the following committee on the Convention Expenses:

Messrs. Edge, Screven, Davis, Furlow, Buchanan, Crane, Robertson, Lewis, and Reese.

Upon motion, Messrs. Augustus Reese, Hugh Buchanan and M. W. Lewis were excused.

Mr. Trammell offered a privilege resolution inviting Hon. Julian Hartridge to a seat upon the floor during his stay in the city.

Upon motion of Mr. Ross, the Hon. L. Q. C. Lamar, of Mississippi, was also invited to a seat upon the floor during his stay in the city.

Leave of absence was granted to Messrs. Warthen, Sapp, and Greer, of the Twenty-third.

The regular order was resumed.

Mr. Holcombe moved to lay paragraph two upon the table.

The motion prevailed.

Mr. Holcombe moved to lay the third paragraph upon the table.

The motion was lost.

Mr. Toombs moved the adoption of the third paragraph.

Mr. Hudson, of the Twenty-ninth, called the previous question.

The call was sustained, and the third paragraph was agreed to.

Mr. Johnson, of the Thirtieth, moved to lay upon the table the fourth paragraph.

Mr. Toombs called for the yeas and nays.

The call was sustained, and the vote resulted as follows :

Those voting in the affirmative are Messrs.—

Anderson,
Bachlott,
Barrow,

Matthews,
Mattox,
McIntosh,

Braddy,	Mershon,
Bristow,	Moore,
Brown,	Mynatt,
Buchanan,	Nisbet,
Burnett,	Pace,
Cain,	Paris,
Camp,	Perry,
Carter,	Phillips of the 18th,
Clark,	Phillips of the 36th,
Davis of the 10th,	Reese of the 28th,
Dickey,	Render,
Fain,	Rosser,
Flewellen,	Roberts,
Field,	Robertson,
Guerard,	Ross,
Gignilliatt,	Rowe,
Gibbs,	Russell of the 1st,
Grace,	Sale,
Goff,	Simmons,
Greer of the 21st,	Sibley,
Hamilton of the 42d,	Scott of the 30th,
Hawkins,	Shepherd,
Hammond of the 35th,	Screven,
Holcombe,	Stevens of the 40th,
Hollifield,	Tift,
Ingram,	Thompson,
Johnson of the 18th,	Tumlin,
Johnson of the 30th,	Warren of the 23d,
Lawton,	Wallace,
Lawson,	Wellborn,
Little,	Whiddon,
Logino,	Wofford.
May,	

Those voting in the negative are Messrs.—

Awbrey,	Jenkins of the 10th,
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Barrett,	Johnson of the 19th,
Brannen,	Johnson of the 42d,
Bass,	Knight,
Boyd,	Lofton,
Bush,	Lewis,
Collier,	Lowe,
Clifton,	McDonald,
Chambers,	McCallum,
Chancy,	McFarland,
Conley,	McLeod,
Coney,	McRea,
Cooper,	Mercier,
Crane,	Mobley,
Creech,	Mosely,
Davis of the 23d,	Newell,
Day,	Osborne,
Dell,	Pierce,
Denton,	Porter,
Dismuke,	Ponder,
Donaldson,	Reese of the 29th,
DuBose,	Respass,
Edge,	Rogers,
Ellington,	Russell of the 8th,
Featherston,	Sanford,
Fontaine,	Seward,
Furman,	Scott of the 13th,
Furlow,	Stokes,
Gartrell,	Spence of the 5th,
Guerry,	Spence of the 35th,
Garren,	Swanson,
Gay,	Swearingen,
Glover,	Smith,
Gorman,	Stevens of the 6th,
Greer of the 13th,	Toombs,
Hamilton of the 21st,	Tye,
Harrell,	Twitty,

Hansell,	Tuggle,
Hammond of the 22d,	Tharpe,
Hand,	Underwood of the 31st,
Hardy,	Underwood of the 32d,
Head,	Warren of the 1st,
Heard,	Westmoreland,
Hewell,	Wells,
Henry,	Wimberly,
Heath,	Williams,
Hicks,	Wilson,
Hudson of the 25th,	Willis,
Hudson of the 29th,	Wright.
Jackson,	Winn, L. J.
Jones,	MR. PRESIDENT.

Yeas, 71.

Nays, 102.

So, by a vote of yeas and nays, the motion to lay upon the table was lost.

Upon motion of Mr. Mynatt, the session was extended until the conclusion of the argument of Mr. Jenkins, of the Eighteenth.

The Convention adjourned till to-morrow morning, at eight and a half o'clock.

ATLANTA, GEORGIA,

SATURDAY, August 18, 1877.

The Convention met this morning pursuant to adjournment, and was called to order by the President, Mr. Jenkins.

Prayer was offered by the Rev. Mr. Cooper, of the Thirteenth District.

Messrs. Tuggle and Gartrell, gave notice that they would move to reconsider certain portions of the Journal of yesterday.

Mr. Tuggle moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in adopting the substitute of Mr. Warren, of the First, to first paragraph of section second.

Mr. Gartrell called the previous question.

The call was sustained, and the motion to reconsider was put and prevailed.

Mr. Gartrell moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in rejecting the substitute of Mr. Reese, of the Twenty-eighth, to the first paragraph of section two.

Mr. Gartrell called the previous question.

The call was sustained, and the motion to reconsider was put and prevailed.

Messrs. Featherston, Toombs and Wellborn, were added to the Committee on Expenses of the Convention.

Upon motion, Mr. Toombs was excused from serving upon the committee.

Mr. Seward offered the following substitute to the substitute of Mr. Reese :

The General Assembly shall pass appropriate laws for the just regulation of rates of railroad transportation in this State.

Mr. Warren, of the First, withdrew his substitute.

Mr. Sibley was added to the Committee on Expenses, instead of Mr. Toombs.

The substitute of Mr. Seward was put and lost.

Mr. Holcombe offered the following substitute :

The General Assembly shall pass laws to correct abuses, prevent unjust discriminations and extortion in rates of freight and passenger tariffs on the different railroads in this State.

Mr. Dismuke moved to lay upon the table, which motion prevailed.

The substitute of Mr. Reese, of the Twenty-eighth District, was put and adopted in lieu of the original paragraph.

Leave of absence was granted Messrs. R. D. Winn, Sale, Sanders and Harris.

Mr. Gartrell moved to strike out paragraph four.

Mr. Willis offered the following amendment : strike out to the word "institute," in second line, and insert the following : It shall be the duty of the Governor of this State, upon information received from the grand jury of any county of this State, or other proper information, to —

Mr. Moore moved to lay the amendment of Mr. Willis upon the table, which motion prevailed.

The motion of Mr. Gartrell to strike out the fourth paragraph, was put and prevailed.

Mr. Reese moved to amend paragraph five by striking out the period after the word "existing," in second line, and inserting a comma.

Mr. Gartrell moved to lay the fifth paragraph upon the table, which motion was lost.

Mr. Hammond, of the Thirty-fifth, offered the following proviso : *Provided*, This shall not apply to laws allowing them to take stock in railroads connecting any railroads now existing.

Mr. DuBose moved to lay upon the table, which motion prevailed.

Mr. Brown offered the following amendment: *Provided*, That this section shall not extend to any amendment for the purpose of allowing any existing road to take stock in aiding in the building of any branch road.

The amendment was put and prevailed.

The fifth paragraph, as amended, was agreed to.

Mr. Hammond, of the Thirty-fifth, moved to amend the sixth paragraph as follows: by adding to first sentence the words, in such manner, however, that no injustice shall be done to the corporators.

Mr. Robertson moved to extend the time of the session.

The motion was lost.

Mr. Robertson moved to adjourn until eight and a half o'clock on Monday morning, which motion was lost.

The hour of adjournment, having arrived, the President declared the Convention adjourned until four o'clock, P.M.

AFTERNOON SESSION.

The Convention met pursuant to adjournment, Vice-President Lawton in the Chair.

Leave of absence was granted Messrs. Reese, of the Twenty-eighth, and Logino.

Mr. Edge, chairman of the special Committee on Convention Expenses, made the following report, to-wit:

WHEREAS, a committee has been appointed by this Convention to consider and inquire into the ways and means by which the expenses of this Convention, over and above those provided by the General Assembly, can be defrayed; and whereras, the committee are satisfied that a sufficient sum of money for the same can be procured by an ordinance of this Convention;

Therefore, be it ordained, by the people of Georgia, in Convention assembled, and it is hereby ordained by authority of the same, that the President of this Convention shall be, and he is hereby, empowered by authority of this Convention, to negotiate the loan of a sufficient sum of money, at seven per cent. per annum, to defray the residue of the expenses of this Convention, not provided for by the act of the General Assembly calling this Convention.

Upon motion of Mr. Toombs, the ordinance was adopted.

Mr. Reese, of the Twenty-ninth, moved to adjourn until Monday morning, at half-past eight o'clock.

The motion to adjourn was lost.

The unfinished business of the morning was then resumed.

Mr. Toombs moved to lay the amendment of Mr. Hammond on the table, and called for the yeas and nays, which call was sustained.

Those voting in the affirmative were Messrs.—

Awbrey,	Hewell,
Barrett,	Henry,
Brannen,	Heath,
Bryan,	Hicks,
Boyd,	Jackson,
Bush,	Johnson of the 19th,
Clifton,	Knight,
Chambers,	McLeod,
Coats,	McRea,
Cooper,	Mercier,
Creech,	Mosely,
Davis of the 23d,	Osborne,
Denton,	Phillips of the 18th,
Dismuke,	Rowe,
Donaldson,	Scott of the 13th,
DuBose,	Spence of the 5th,
Edge,	Spence of the 35th,
Furlow,	Stroud,
Guerry,	Swearingen,
Garren,	Stevens of the 6th,
Gay,	Toombs,
Glover,	Tharpe,
Hamilton of the 21st,	Underwood of the 32d
Harrell,	Wells,
Hand,	Whiddon,
Hardy,	Wilson,
Head,	Willis.
Heard,	

Those voting in the negative were Messrs.—

Anderson,	Lewis,
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Bachlott,	Lowe,
Braddy,	May,
Bass,	Matthews,
Brown,	Mattox,
Burnett,	McDonald,
Cain,	McCallum,
Camp,	McFarland,
Collier,	Mershon,
Clark,	Mobley,
Chancy,	Moore,
Conley,	Mynatt,
Coney,	Nisbet,
Crane,	Pace,
Davis of the 10th,	Paris,
Day,	Pierce,
Dell,	Perry,
Dickey,	Phillips of the 36th,
Featherston,	Porter,
Flewellen,	Ponder,
Field,	Reese of the 28th,
Fontaine,	Reese of the 29th,
Furman,	Render,
Gartrell,	Respass,
Guerard,	Rosser,
Gignilliatt,	Robertson,
Gorman,	Ross,
Gibbs,	Russell of the 1st,
Grace,	Sanford,
Goff,	Seward,
Greer of the 13th,	Simmons,
Greer of the 21st,	Sibley,
Hansell,	Scott of the 30th,
Hammond of the 22d,	Stokes,
Hammond of the 35th,	Shepherd,
Hall,	Swanson,
ill,	Screven,

Holcombe,
Hollifield,
Horne,
Hunt,
Hudson of the 25th,
Ingram,
Jones,
Johnson of the 18th,
Johnson of the 30th,
Lawson,
Lofton,
Little,

Smith,
Stevens of the 40th,
Tift,
Thompson,
Tuggle,
Warren of the 1st,
Warren of the 23d,
Wallace,
Wellborn,
Wimberly,
Williams,
MR. PRESIDENT.

Yeas 55.

Nays 99.

So the motion to lay on the table did not prevail.

Mr. Dismuke moved to adjourn until Monday morning, at eight and a half o'clock, which motion did not prevail.

Mr. Brown moved the adoption of the amendment of Mr. Hammond.

Mr. Toombs called for the yeas and nays, which call was sustained.

Those voting in the affirmative are Messrs.—

Anderson,
Bachlott,
Braddy,
Bass,
Brown,
Burnett,
Cain,
Camp,

Lowe,
Matthews,
McFarland,
Mattox,
McDonald,
McCallum,
Mershon,
Mobley,

Collier,
Clark,
Chancy,
Conley,
Coney,
Davis of the 10th,
Day,
Dell,
Dickey,
Featherston,
Flewellen,
Field,
Fontaine,
Furman,
Gartrell,
Guerard,
Gorman,
Grace,
Goff,
Greer of the 13th,
Greer of the 21st,
Hansell,
Hammond of the 22d,
Hammond of the 35th
Hall,
Hill,
Holcombe,
Hollifield,
Horne,
Hunt,
Hudson of the 25th,
Ingram,
Jones,
Johnson of the 18th,
Johnson of the 30th,
May,
Lawson,
Lofton,
Little,
Lewis,

Moore,
Mynatt,
Nisbet,
Newell,
Paris,
Pierce,
Perry,
Phillips of the 18th,
Phillips of the 36th,
Porter,
Ponder,
Reese of the 28th,
Reese of the 29th,
Render,
Respass,
Robertson,
Ross,
Russell of the 1st,
Sanford,
Seward,
Simmons,
Sibley,
Scott of the 30th,
Stokes,
Shepherd,
Swanson,
Smith,
Stevens of the 40th,
Tift,
Thompson,
Tuggle,
Warren of the 1st,
Warren of the 23d,
Wallace,
Wellborn,
Wimberly,
Williams,
Willis,
MR. PRESIDENT.

Those voting in the negative were Messrs.—

Awbrey,	Hewell,
Barrett,	Henry,
Brannen,	Heath,
Bryan,	Hicks,
Boyd,	Hudson of the 29th,
Bush,	Jackson,
Clifton,	Johnson of the 19th,
Chambers,	Key,
Coats,	Knight,
Cooper,	McLeod,
Creech,	McRea,
Davis of the 23d,	Mercier,
Denton,	Osborne,
Dismuke,	Rowe,
Donaldson,	Russell of the 8th,
DuBose,	Scott of the 13th,
Edge,	Spence of the 5th,
Furlow,	Spence of the 35th,
Guerry,	Stroud,
Garren,	Swearingen,
Gay,	Stevens of the 6th,
Glover,	Toombs,
Hamilton of the 21st,	Tharpe,
Harrell,	Underwood of the 32d
Hand,	Wells,
Hardy,	Whiddon,
Head,	Wilson.
Heard,	

Yeas 95.

Nays 55.

So the amendment was adopted.

Mr. Guerry moved to adjourn until Monday at eight and a half o'clock, which motion was lost.

Mr. Mobley moved the adoption of the sixth paragraph, as amended, and called the previous question.

The call was sustained, and the previous question put.

The motion to adopt the paragraph was lost.

Mr. Collier moved the following amendment to paragraph seven, to-wit: Except to aid in the building of other railroads and branch roads in this State.

Mr. Mynatt moved to adjourn until eight and a half o'clock, Monday, which motion was lost.

Mr. Brown moved to amend the seventh paragraph, first line, by inserting: railroad, between "any" and "corporation."

Mr. Crane offered the following substitute, to-wit: Railroad companies shall not make combinations to divide their earnings, except on the basis of the actual earnings of each road. Pooling their earnings as now practiced by railroads, defeats competition and is forbidden.

Mr. Toombs moved to lay upon the table, which motion prevailed.

Mr. Holcombe moved to lay the seventh paragraph and amendments on the table, which motion was lost.

Mr. Willis moved to prolong the evening session until the report under consideration was disposed of.

Adopted.

Mr. Dismuke moved to lay the amendments to the paragraph on the table.

Mr. Dismuke moved to adopt the paragraph as reported.

The seventh paragraph was adopted.

Mr. Robertson offered the following as an additional paragraph, to follow paragraph seven, to-wit:

No railroad company shall give, or pay any rebate, or bonus in the nature thereof, directly, or indirectly, or do any act to mislead or deceive the public, as to the real rates charged or received for freights or passage, and any such payments shall be illegal and void, and their prohibition be enforced by suitable penalties.

The paragraph was adopted.

The eighth paragraph was adopted.

Mr. Lawson moved, as an additional paragraph, the following:

Nor to imperatively require the General Assembly to pass laws to affect through freights or through passenger fares on the several railroads in this State.

Mr. Seward moved to lay Mr. Lawson's amendment on the table, which motion prevailed.

The ninth paragraph was adopted.

The article, as amended, was adopted.

The Convention adjourned until eight and a half o'clock Monday morning.

ATLANTA, GEORGIA,

MONDAY, August 20th, 1877.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Prayer was offered by Rev. Mr. Underwood, of the Thirty-first District.

Messrs. Toombs and Featherston gave notice that they would move to reconsider certain portions of the Journal of Saturday.

Mr. Sanford moved to suspend the rule for the purpose of taking up the following resolution to-wit :

Resolved, That on and after to-morrow, this Convention will meet at 8½ A.M., and adjourn at 1 P.M.; meet at 4 P.M., and adjourn at 7 P.M.

Mr. Bass moved to amend by striking out "to-morrow" and inserting: to-day.

Mr. Hammond, of the Thirty-fifth District, moved to strike out "7" and insert: 6½.

Mr. Mershon moved to lay the resolution and the amendments upon the table, which motion did not prevail.

Mr. Scott, of the Thirteenth District, moved to strike out "8½" and substitute: 8.

The resolution, amended as follows, was agreed to :

That on and after to-day, this Convention will meet at 8 A.M., and adjourn at 1 P.M.; meet at 3½ P.M., and adjourn at 6½ P.M., until otherwise ordered.

Mr. Toombs moved to reconsider so much of the Journal of Saturday as refers to the action of the Convention in rejecting the sixth section of the Supplementary Article on Taxation.

Mr. Nesbit moved to lay on the table the motion of Mr. Toombs to reconsider.

Mr. Toombs called for the yeas and nays, and the call was sustained.

Those voting in the affirmative were Messrs.—

Anderson,	Lewis,
Bachlott,	Lowe,
Barrow,	May,
Braddy,	Matthews,
Bristow,	Mattox,
Brown,	McDonald,
Burnett,	McCallum,
Camp,	McIntosh,
Clark,	McFarland,
Chambers,	Mershon,
Conley,	Mobley,
Coney,	Moore,
Davis of the 10th,	Mynatt,
Day,	Nisbet,
Dell,	Newell,
Denton,	Pace,
Dickey,	Paris,
Ellington,	Perry,
Fain,	Phillips of the 18th,
Flewellen,	Phillips of the 36th,
Field,	Reese of the 28th,
Gartrell,	Reese of the 29th,
Guerard,	Render,
Gignilliatt,	Respass,
Graham,	Rosser,
Gorman,	Roberts,

Gibbs,
Grace,
Goff,
Greer of the 13th,
Greer of the 21st,
Hansell,
Hammond of the 22d,
Hammond of the 35th,
Hall,
Heath,
Hicks,
Hill,
Howell,
Holcombe,
Hollifield,
Horne,
Hunt,
Hudson of the 25th,
Ingram,
Jones,
Johnson of the 18th,
Johnson of the 19th,
Johnson of the 30th,
Lawson,
Lofton,

Robertson,
Ross,
Russell of the 1st,
Simmons,
Sibley,
Scott of the 30th,
Stokes,
Shepherd,
Swanson,
Smith,
Stevens of the 40th,
Trammell,
Tift,
Twitty,
Thompson.
Tharpe,
Warren of the 23d,
Wallace,
Warthen,
Wellborn,
Whiddon,
Wimberly,
Williams.
Winn, L. J.,

Those voting in the negative were Messrs.—

Awbrey,
Barrett,
Brannen,
Bass,
Boyd,
Bush,
Collier,
Clifton,
Coats,
Cooper,
Crane,

Hewell,
Henry,
Hudson of the 29th,
Jackson,
Johnson of the 42d,
Key,
Knight,
McLeod,
McRea,
Mercier,
Mosely,

Creech,	Osborne,
Davis of the 23d,	Pierce,
Dismuke,	Ponder,
Donaldson,	Rowe,
DuBose,	Russell of the 8th,
Edge,	Seward,
Featherston,	Scott of the 13th,
Furlow,	Spence of the 5th,
Guerriy,	Spence of the 35th,
Garren,	Stroud,
Gay,	Stevens of the 6th,
Glover	Toombs,
Hamilton of the 21st,	Tuggle.
Harrell,	Underwood of the 31st
Hand,	Underwood of the 32d
Hardy,	Wells,
Head,	Wilson.
Heard,	Willis.

Yeas, 101.

Nays, 58.

So the motion to lay on the table prevailed.

Mr. Featherston moved to reconsider so much of the Journal of Saturday as refers to the action of the Convention in adopting the additional paragraph of Mr. Robertson, of the Thirty-fifth District.

Mr. Robertson moved to lay on the table the motion of Mr. Featherston to reconsider, which motion prevailed.

Leave of absence was granted to Messrs. Buchanan and Westmoreland.

Mr. Brown, of Cherokee, moved to insert an additional paragraph to the report of the Committee on the Legislative Department, which motion did not prevail.

Mr. Guerard moved to add to the forty-fourth line, on second page, being first paragraph, fourth section, article Legislative Department, these words: to serve until their successors shall be elected, which was agreed to.

Mr. Dismuke moved to adopt an additional article regulating the legal rate of interest in the State of Georgia, which motion was lost.

Mr. Pierce introduced the following resolution, which was agreed to :

Resolved, That the report of the special Committee on the Location of the Capital be made the special order for Tuesday, eleven o'clock A. M.

Mr. Matthews moved to take up the report of the Committee on the Bill of Rights, and perfect certain sections, which was agreed to.

Article one, paragraph twenty-seven, of the Bill of Rights was taken up.

Mr. Lawson moved to strike out the words "special privileges," and insert: exemption from taxation, in lieu thereof.

Mr. Matthews moved to amend the amendment of Mr. Lawson with these words: "or any law granting exemption from taxation except where it is otherwise provided in this Constitution," which was accepted by Mr. Lawson.

Mr. Toombs offered the following substitute :

No irrevocable grant, or charter, or act, conferring special privileges, shall ever be granted by the General Assembly until the question whether such grant, charter, or act, has been submitted to the voters of this State, and

approved by a majority of the persons voting on said question.

Mr. Davis, of the Tenth District, moved the previous question, which was seconded.

Mr. Toombs called for the yeas and nays, which call was sustained.

Those voting in the affirmative were, Messrs.—

Barrett,	Hicks,
Brannen,	Hudson of the 29th,
Braddy,	Jackson,
Bristow,	Johnson of the 42d,
Bryan,	Key,
Boyd,	Knight,
Bush,	Lewis,
Chambers,	McLeod,
Coney,	McRea,
Coats,	Mercier,
Cooper,	Mobley,
Creech,	Mosely,
Davis of the 23d,	Newell,
Dismuke,	Osborne,
Donaldson,	Ponder,
Edge,	Reese of the 29th,
Ellington,	Rowe,
Furlow,	Russell of the 8th,
Gartrell,	Sanford,
Guerry,	Seward,
Garren,	Scott of the 13th,
Gay,	Stokes,
Glover,	Spence of the 35th,
Gorman,	Stroud,
Goff,	Stevens of the 6th,
Greer of the 13th,	Toombs,
Hamilton of the 21st,	Underwood of the 31st

Harrell,
Hand,
Head,
Heard,
Henry,

Underwood of the 32d,
Wells,
Whiddon,
Williams,
Willis. †

Those voting in the negative were Messrs.—.

Anderson,
Awbrey,
Bachlott,
Barrow,
Bass,
Brown,
Burnett,
Cain,
Camp,
Carter,
Collier,
Clark,
Davis of the 10th,
Day,
Dell,
Denton,
Dickey,
DuBose,
Fain,
Featherston,
Flewellen,
Field,
Fontaine,
Furman,
Guerard,
Gignilliatt,
Graham,
Gibbs,
Grace,

Little,
Lowe,
Logino,
May,
Matthews,
Mattox,
McDonald,
McCallum,
McIntosh,
McFarland,
Mershon,
Moore,
Mynatt,
Nisbet,
Pace,
Paris,
Pierce,
Perry,
Phillips of the 18th,
Phillips of the 36th,
Porter,
Reese of the 28th,
Render,
Respass,
Rosser,
Roberts,
Robertson,
Ross,
Russell of the 1st,

Greer of the 21st,
Hamilton of the 42d,
Hawkins,
Hansell,
Hammond of the 22d,
Hammond of the 35th,
Hall,
Hardy,
Hewell,
Heath,
Hill,
Howell,
Holcombe,
Hollifield,
Horne,
Hunt,
Hudson of the 25th,
Ingram,
Jones,
Johnson of the 18th,
Johnson of the 19th,
Johnson of the 30th,
Lawson,

Simmons,
Sibley,
Scott of the 30th,
Spence of the 5th,
Shepherd,
Swanson,
Swearingen,
Screven,
Smith,
Stevens of the 40th,
Trammell,
Tift,
Twitty,
Thompson,
Tuggle,
Warren of the 23d,
Wallace,
Warthen,
Wellborn,
Wimberly,
Wilson,
Winn, L. J.
MR. PRESIDENT.

Yeas, 64.

Nays, 104.

So the substitute of Mr. Toombs was not adopted.

Upon the amendment of Mr. Lawson, Mr. Toombs also called for the yeas and nays, which call was seconded.

Those voting in the affirmative were Messrs.—

Bachlott,
Barrow,
Bass,

McFarland,
Mershon,
Moore,

Harrell,
Hand,
Head,
Heard,
Henry,

Underwood of the 32d,
Wells,
Whiddon,
Williams,
Willis. }

Those voting in the negative were Messrs.—.

Anderson,
Awbrey,
Bachlott,
Barrow,
Bass,
Brown,
Burnett,
Cain,
Camp,
Carter,
Collier,
Clark,
Davis of the 10th,
Day,
Dell,
Denton,
Dickey,
DuBose,
Fain,
Featherston,
Flewellen,
Field,
Fontaine,
Furman,
Guerard,
Gignilliatt,
Graham,
Gibbs,
Grace,

Little,
Lowe,
Logino,
May,
Matthews,
Mattox,
McDonald,
McCallum,
McIntosh,
McFarland,
Mershon,
Moore,
Mynatt,
Nisbet,
Pace,
Paris,
Pierce,
Perry,
Phillips of the 18th,
Phillips of the 36th,
Porter,
Reese of the 28th,
Render,
Respass,
Rosser,
Roberts,
Robertson,
Ross,
Russell of the 1st,

Greer of the 21st,
Hamilton of the 42d,
Hawkins,
Hansell,
Hammond of the 22d,
Hammond of the 35th,
Hall,
Hardy,
Hewell,
Heath,
Hill,
Howell,
Holcombe,
Hollifield,
Horne,
Hunt,
Hudson of the 25th,
Ingram,
Jones,
Johnson of the 18th,
Johnson of the 19th,
Johnson of the 30th,
Lawson,

Simmons,
Sibley,
Scott of the 30th,
Spence of the 5th,
Shepherd,
Swanson,
Swearingen,
Screven,
Smith,
Stevens of the 40th,
Trammell,
Tift,
Twitty,
Thompson,
Tuggle,
Warren of the 23d,
Wallace,
Warthen,
Wellborn,
Wimberly,
Wilson,
Winn, L. J.
MR. PRESIDENT.

Yeas, 64.

Nays, 104.

So the substitute of Mr. Toombs was not adopted.

Upon the amendment of Mr. Lawson, Mr. Toombs also called for the yeas and nays, which call was seconded.

Those voting in the affirmative were Messrs.—

Bachlott,
Barrow,
Bass,

McFarland,
Mershon,
Moore,

Brown,
Burnett,
Camp,
Carter,
Clark,
Davis of the 10th,
Dickey,
DuBose,
Fain,
Flewellen,
Field,
Guerard,
Gignilliat,
Graham,
Gibbs,
Grace,
Greer of the 13th,
Greer of the 21st,
Hamilton of the 42d,
Hawkins,
Hansell,
Hammond of the 35th,
Hill,
Howell,
Holcombe,
Hollifield,
Horne,
Hunt,
Ingram,
Johnson of the 18th,
Johnson of the 30th,
Lawson,
Little,
Lowe,
Logino,
May,

Mynatt,
Nisbet,
Newell,
Pace,
Paris,
Pierce,
Perry,
Phillips of the 18th,
Phillips of the 36th,
Porter,
Reese of the 28th,
Reese of the 29th,
Render,
Respass,
Rosser,
Roberts,
Robertson,
Ross,
Russell of the 1st,
Simmons,
Sibley,
Scott of the 30th,
Stokes,
Shepherd,
Screven,
Smith,
Stevens of the 40th,
Trammell,
Tift,
Thompson,
Tharpe,
Warren of the 23d,
Wallace,
Warthen,
Wellborn,
Whidden,

Matthews,
Mattox,
McCallum,
McIntosh,

Wimberly,
Winn, L. J.
MR. PRESIDENT.

Those voting in the negative are Messrs.—

Anderson,
Awbrey,
Barrett,
Brannen,
Braddy,
Bristow,
Bryan,
Boyd,
Bush,
Cain,
Collier,
Clifton,
Chambers,
Coney,
Coates,
Cooper,
Crane,
Creech,
Davis of the 23d,
Day,
Denton,
Dismuke,
Donaldson,
Edge,
Ellington,
Featherston,
Fontaine,
Furman,
Furlow,
Gartrell,

Heard,
Hewell,
Henry,
Heath,
Hicks,
Hudson of the 25th,
Hudson of the 29th,
Jackson,
Jones,
Johnson of the 19th,
Johnson of the 42d,
Key,
Knight,
Lofton,
Lewis,
McDonald,
McLeod,
McRea,
Mercier,
Mobley,
Mosely,
Osborne,
Ponder,
Rowe,
Russell of the 8th,
Sanford,
Seward,
Scott of the 13th,
Spence of the 5th,
Spence of the 35th,

Guerry,
 Garren,
 Gay,
 Glover,
 Gorman,
 Goff,
 Hamilton of the 21st,
 Harrell,
 Hammond of the 22d,
 Hall,
 Hand,
 Hardy,
 Head,

Swanson,
 Swearingen,
 Stevens of the 6th,
 Toombs,
 Twitty,
 Tuggle,
 Underwood of the 31st,
 Underwood of the 32d,
 Wells,
 Williams,
 Wilson,
 Willis,
 Wofford.

Yeas, 85.

Nays, 86.

So the amendment of Lawson was not agreed to.

Mr. Hudson, of the Twenty-ninth, called for the yeas and nays upon the adoption of the twenty-seventh paragraph, article first, of the Bill of Rights, which call was sustained.

Those voting in the affirmative are Messrs. —

Anderson,
 Awbrey,
 Barrett,
 Brannen,
 Braddy,
 Bristow,
 Boyd,
 Bush,
 Cain,
 Collier,
 Clifton,

Head,
 Heard,
 Hewell,
 Henry,
 Heath,
 Hicks,
 Hudson of the 25th,
 Hudson of the 29th,
 Jones,
 Johnson of the 19th,
 Johnson of the 42d,

Chambers,	Key,
Coney,	Knight,
Coats,	Lewis,
Cooper,	McDonald,
Crane,	McLeod,
Creech,	McRea,
Davis of the 23d,	Mercier,
Dell,	Mobley,
Denton,	Mosely,
Dismuke,	Osborne,
Donaldson,	Ponder,
Edge,	Reese of the 29th,
Ellington,	Rowe,
Fain,	Russell of the 8th,
Furman,	Sanford,
Furlow,	Seward,
Gartrell,	Scott of the 13th,
Guerry,	Spence of the 5th,
Garren,	Spence of the 35th,
Gay,	Stroud,
Glover,	Swanson,
Gorman,	Swearingen,
Goff,	Stevens of the 6th,
Greer of the 13th,	Toombs,
Greer of the 21st,	Twitty,
Hamilton of the 21st,	Tuggle,
Harrell,	Tharpe,
Hawkins,	Underwood of the 31st,
Hansell,	Underwood of the 32d,
Hammond of the 22d,	Wells,
Hall,	Whiddon,
Hand,	Williams,
Head,	Wilson,
Hall,	Willis,
Hardy,	Wofford.

Those voting in the negative were, Messrs.—

Bachlott,	McIntosh,
Barrow,	McFarland,
Bass,	Mershon,
Brown,	Moore,
Burnett,	Mynatt,
Camp,	Nisbet,
Carter,	Newell,
Clark,	Pace,
Conley,	Paris,
Davis of the 10th,	Pierce,
Day,	Perry,
Dickey,	Phillips of the 36th,
DuBose,	Porter,
Flewellen,	Reese of the 28th,
Field,	Render,
Fontaine,	Respass,
Guerard,	Rosser,
Gignilliatt,	Roberts,
Graham,	Robertson,
Gibbs,	Ross,
Grace,	Russell of the 1st,
Hamilton of the 42d,	Simmons,
Hammond of the 35th,	Sibley,
Hill,	Scott of the 30th,
Howell,	Stokes,
Holcombe,	Shepherd,
Hollifield,	Screven,
Horne,	Smith,
Hunt,	Stevens of the 40th,
Ingram,	Trammell,
Jackson,	Tift,
Johnson of the 18th,	Thompson,
Johnson of the 30th,	Warren of the 23d,
Lawson,	Wallace,
Little,	Wellborn,

Lowe,
Logino,
May,
Matthews,
Mattox,

Warthen,
Wimberly,
Winn, L. J.
MR. PRESIDENT.

Yeas, 91.

Nays, 78.

So the article and paragraph of the Bill of Rights was agreed to.

Mr. Guerard, of the First District, moved to add to thirteenth paragraph of Bill of Rights these words : Unless in cases of rebellion or invasion the public safety may require it.

The Convention refused to entertain the motion.

Mr. Hammond, of the Thirty-fifth District, moved to adopt the following as an additional paragraph :

No grant of special privileges or immunities shall be revoked except in such manner as to work no injustice to the corporators or creditors of the incorporation.

Mr. Hudson, of the Twenty-ninth District, moved to lay on the table the motion of Mr. Hammond, of the Thirty-fifth District.

Mr. Brown called for the yeas and nays, and the call was sustained.

Those voting in the affirmative were Messrs.—

Anderson,
Awbrey,
Bachlott,

Heath,
Hicks,
Hudson of the 25th,

Barrett,	Hudson of the 29th,
Brannen,	Jackson,
Braddy,	Johnson of the 19th,
Bristow,	Johnson of the 42d,
Bryan,	Key,
Boyd,	Knight,
Bush,	Lewis,
Cain,	Logino,
Collier,	McDonald,
Clifton,	McLeod,
Clark,	McRea,
Chambers,	Mercier,
Coney,	Mobley,
Coats,	Mosely,
Cooper,	Osborne,
Creech,	Pierce,
Davis of the 23d,	Phillips of the 18th,
Denton,	Phillips of the 36th,
Dismuke,	Ponder,
Donaldson,	Reese of the 29th,
DuBose,	Rowe,
Edge,	Russell of the 8th,
Ellington,	Sanford,
Featherston,	Seward,
Field,	Scott of the 13th,
Furlow,	Spence of the 5th,
Gartrell,	Spence of the 35th,
Guerry,	Stroud,
Garren,	Swanson,
Gay,	Swearingen,
Glover,	Stevens of the 6th,
Graham,	Toombs,
Gorman,	Twitty,
Goff,	Tuggle,
Hamilton of the 21st,	Tharpe,
Harrell,	Underwood of the 31st,

Hammond of the 22d,
Hall,
Hand,
Hardy,
Head,
Heard,
Hewell,
Henry,

Underwood of the 32d,
Wells,
Whiddon,
Williams,
Wilson,
Willis.
Wofford.

Those voting in the negative were Messrs.—

Barrow,
Bass,
Brown,
Burnett,
Camp,
Carter,
Conley,
Crane,
Davis of the 10th,
Day,
Dell,
Dickey,
Fain,
Flewellen,
Fontaine,
Furman,
Guerard,
Gignilliatt,
Gibbs,
Grace,
Greer of the 13th,
Greer of the 21st,
Hamilton of the 42d,
Hawkins,
Hansell,
Hammond of the 35th,

May,
Matthews,
Mattox,
McIntosh,
McFarland,
Mershon,
Moore,
Mynatt,
Nisbet,
Pace,
Paris,
Perry,
Porter,
Reese of the 28th,
Render,
Respass,
Rosser,
Roberts,
Robertson,
Ross,
Russell of the 1st,
Simmons,
Sibley,
Scott of the 30th,
Stokes,
Shepherd,

Hill,
Howell,
Holcombe,
Hollifield,
Hunt,
Ingram,
Jones,
Johnson of the 18th,
Johnson of the 30th,
Lawson,
Lofton,
Little,
Lowe,

Screven,
Smith,
Stevens of the 40th,
Trammell,
Tift,
Thompson,
Warren of the 23d,
Wallace,
Warthen,
Wellborn,
Wimberly,
Winn, L. J.
MR. PRESIDENT.

Yeas 93.

Nays 78.

So the motion to lay on the table prevailed.

Mr. Toombs moved to adopt the Bill of Rights as amended, which motion prevailed.

Mr. Render moved to take up the report of the Committee on Homesteads and Exemptions, which motion prevailed.

Mr. Edge moved to strike out, in the fifth line of section one, “\$1,600,” and insert: \$3,000.

The hour of adjournment having arrived, the President declared the Convention adjourned until half-past three o'clock P.M.

AFTERNOON SESSION.

HALF-PAST THREE O'CLOCK.

The Convention met pursuant to adjournment, President Jenkins, in the chair.

Mr. Hudson, of the Twenty-ninth, moved to suspend the rules for the purpose of taking up the following resolution :

Resolved, That the time of no member shall hereafter be extended longer than ten minutes, without the unanimous consent of the House.

The rules being suspended, Mr. Respass moved to amend the resolution with the following: That the time may be extended ten minutes by a majority, which motion was laid on the table.

Mr. Fontaine moved to lay Mr. Hudson's resolution upon the table, which did not prevail.

The resolution of Mr. Hudson, as amended by Mr Brown, and accepted by Mr. Hudson, is as follows :

Resolved, That no member shall speak longer than ten minutes, on any subject, except by a two-thirds vote, and the time shall be only extended for ten minutes, which resolution was agreed to.

Mr. Barrow, by unanimous consent of the Convention, introduced the following resolution :

Resolved, That the regular pages and porters of the Convention be paid one dollar and a half a day.

Upon motion of Mr. Hand, the resolution was laid upon the table.

Mr. Simmons moved to postpone further action on this section until the third section of the report of the committee be reached, which did not prevail.

Mr. Greer, of the Twenty-first District, moved to lay the amendment of Mr. Edge on the table.

The yeas and nays were called for, but the call was no sustained, and the motion of Mr. Greer prevailed.

Mr Logino, of the Thirty-sixth District, moved to amend by striking out "sixteen" in the fifth line of the first section, and inserting: eight, which motion was laid upon the table.

Mr. Respass moved to amend the first section, fifth line, by striking out "\$1,600.00" and inserting: \$600.00.

Upon motion, the amendment of Mr. Respass was laid upon the table.

Mr. Mathews moved to strike out, in fifth line, the words "not to exceed in valuation the aggregate," and insert the words: to the value in the aggregate of.

Mr. DuBose moved the previous question, the call was seconded, and the amendment of Mr. Matthews was agreed to.

Mr. Crane moved to strike out, in first section, all after "infirm persons," in third line, and insert as follows: real estate, not to exceed in value one thousand dollars, and the following personal property: one farm horse, or mule, one cow and calf, one sow and pigs, and one hundred dollars worth of provisions; beds and bedding, and common bedsteads sufficient for the family; one sewing machine, common tools of trade for himself and wife, not exceeding in value three hundred dollars; ordinary cooking utensils and table crockery; wearing apparel for himself and family; family Bible, religious works and school books, family portraits; the library of a professional man in actual practice, not exceeding in value three hundred dollars, to be selected by himself.

The amendment of Mr. Crane was lost.

Mr. Warren of the Twenty-third offered a substitute for the whole article, which was read for information.

Mr. Hudson of the Twenty-fifth moved to strike out one thousand six hundred dollars, and insert two thousand dollars, which did not prevail.

Mr. Chambers moved to adopt the following as an additional section to take the place of the second section : The homestead of realty and exemption of personalty when set apart to the head of a family, as hereinafter provided, shall vest a fee simple estate in the heirs at law, of the applicant therefore, at the death of said applicant or head of the family.

Upon motion of Mr. Twitty the amendment was laid upon the table.

Mr. Respass moved to amend the second section by inserting in third line after the word "thereon" the words : "provided if the property exceeds in value after such improvements the sum of sixteen hundred dollars, that the excess in value shall not be exempt."

Mr. Twitty moved to lay the amendment upon the table, which motion prevailed.

The second section was agreed to.

Mr. Fontaine offered the following substitute for section three :

The debtor shall not have the power to waive or renounce his right to the benefit of the exemption provided for in this article ; and he shall not, after it is set apart, alienate or encumber the property so exempted, but it may be sold by the debtor and hiswife, if any, jointly, with the

sanction of the Judge of the Superior Court of the county where the debtor resides, or the land is situated, upon application to him, the proceeds to be reinvested upon the same uses. The homestead herein provided shall be in *fee simple* to the head of the family, and shall descend to his heirs.

Mr. DuBose, of Hancock, moved to lay the amendment of Mr. Fontaine upon the table, which motion prevailed.

The previous question was called and seconded.

The yeas and nays were called for, but the call was not sustained.

Mr. Toombs moved that the Convention do now adjourn, which motion prevailed, and the President declared the Convention adjourned until to-morrow morning at eight o'clock.

ATLANTA, GEORGIA,
TUESDAY, August 21, 1877.

The Convention met this morning, pursuant to adjournment, and was called to order by Vice-President Lawton.

Prayer was offered by Rev. Mr. McDonald, of the Fifth District.

Messrs. Barrow, Twitty, Greer, of the Twenty-first, Holcombe, Wofford and Davis, gave notice that they would move to reconsider certain portions of the Journal of yesterday.

Leave of absence, on motion of Mr. Thompson, was granted to Hon. Josiah Warren, of the First District.

Mr. Twitty moved the reconsideration of so much of the Journal of yesterday as relates to the action of the Convention in rejecting the amendment of Mr. Edge to insert \$3000 in lieu of \$1600.

Mr. Wilson, of the Twenty-fourth District, moved to lay on the table the motion of Mr. Twitty to reconsider.

Mr. Edge called for the yeas and nays, which call was not sustained, and the motion to lay on the table prevailed.

Messrs. Holcombe and Wofford made motions to reconsider so much of the Journal of yesterday as relates to the action of the Convention in adopting the first and second sections of the report of the Committee on Homesteads and Exemptions.

Upon motion of Mr. Lewis, the aforesaid motions were laid upon the table.

Mr. Hammond, of the Thirty-fifth District, moved to reconsider so much of the Journal of yesterday as relates to the rejection by the Convention of an additional article, as follows:

No grant of special privileges or immunities shall be revoked except in such manner as to work no injustice to the corporators, or creditors of the incorporation.

The previous question was called on the motion to reconsider, which was seconded, and the motion to reconsider prevailed.

Mr. Hammond, of the Thirty-fifth, moved the previous question on the adoption of the foregoing additional paragraph to the Bill of Rights, which was seconded, and the paragraph was adopted.

Mr. Toombs moved the adoption of the Bill of Rights, as amended, which motion prevailed.

Mr. Davis moved the reconsideration of so much of the Journal of yesterday as relates to the action of the Convention in rejecting the amendment of Mr. Chambers.

Upon motion of Mr. Hudson, of the Twenty-ninth, the motion to reconsider was laid upon the table.

The unfinished business of yesterday being the consideration of Mr. Bristow's amendment to the third section of the report of the committee, the yeas and nays were called for by Mr. ———, and the call sustained, upon the adoption of Mr. Bristow's amendment, which reads as follows: By striking out all after the word "power," in the first line, including "witnesses," in the second line, so the section will read: The debtor shall have power to waive or renounce his right to the benefit of the exemption, etc.

Upon a call for the yeas and nays, the result was as follows :

Those voting in the affirmative were Messrs.—

Anderson,
Bachlott,
Barrow,
Brannen,
Bristow,
Brown,
Burnett,
Bryan,
Bush,
Cain,
Camp,
Carter,

Ingram,
Johnson of the 18th,
Knight,
Lowe,
Logino,
May,
McCallum,
McIntosh,
McRea,
Mershon,
Mosely,
Moore,

Collier,
Clifton,
Clark,
Conley,
Coates,
Crane,
Day,
Dell,
Denton,
Donaldson,
DuBose,
Ellington,
Fain,
Field,
Garren,
Glover,
Guerard,
Gignilliat,
Graham,
Gibbs,
Grace,
Goff,
Greer of the 21st,
Hamilton of the 21st,
Hammond of the 35th,
Hall,
Hand,
Head,
Heard,
Henry,
Hill,
Hollifield,
Horne,
Hudson of the 25th,
Hudson of the 29th,

Mynatt,
Osborne,
Pierce,
Phillips of the 18th,
Porter,
Ponder,
Respass,
Rosser,
Roberts,
Robertson,
Ross,
Rowe,
Sanford,
Simmons,
Sibley,
Scott of the 13th,
Stokes,
Spence of the 5th,
Spence of the 35th,
Shepherd,
Stevens of the 40th,
Trammell,
Tift,
Tye,
Tumlin,
Underwood of the 31st,
Underwood of the 32d,
Warthen,
Wellborn,
Wimberly,
Williams,
Wilson,
Winn, L. J.
Wofford.

Those voting in the negative are Messrs.—

Awbrey,	Little,
Braddy,	Lewis,
Bass,	Matthews,
Boyd,	Mattox,
Chambers,	McDonald,
Coney,	McFarland,
Cooper,	McLeod,
Creech,	Mercier,
Davis of the 10th,	Mobley,
Davis of the 23d,	Nisbet,
Dickey,	Newell,
Dismuke,	Pace,
Edge,	Paris,
Featherston,	Perry,
Flewellen,	Phillips of the 36th,
Fontaine,	Reese of the 28th,
Furlow,	Render,
Gartrell,	Sanders,
Gerry,	Seward,
Gay,	Scott of the 30th,
Gorman,	Stroud,
Greer of the 13th,	Swanson,
Hamilton of the 42d,	Swearingen,
Harrell,	Screven,
Hawkins,	Smith,
Hansell,	Toombs,
Hammond of the 22d,	Twitty,
Hardy,	Thompson,
Hewell,	Tuggle,
Heath,	Tharpe,
Hicks,	Warren of the 23d,
Holcombe,	Wallace,
Hunt,	Wells,
Jackson,	Whidden,

Jones,
Johnson of the 19th,
Johnson of the 30th,
Key,
Lawson,

Willis,
Wright.
Winn, R. D.,
MR. PRESIDENT.

Yeas, 93.

Nays, 77.

So the amendment was agreed to.

Mr. Lawson moved the following as a substitute for the third section, which was not agreed to.

The exemption provided for in this article shall be set apart upon application therefor notwithstanding any waiver, relinquishment, or renunciation of his right by the debtor, subsequent to the ratification of this Constitution. It shall continue during the joint lives of the debtor and his wife, if any, and upon the death of the survivor, or upon the death of an unmarried head of a family, to whom it has been set apart, the title shall descend in fee to the children of the debtor. If there be no children, nor descendants of children, the property at the expiration of exemption, shall be subject to administration and distribution under the laws relating to intestate estates. The fee in property set apart for the benefit of orphan minor children, shall vest in them, and the exemption may be set apart to the wife, when the husband fails to apply for it. The debtor shall not, after it is set apart, alienate or encumber the property so exempted, but it may be sold by the debtor and his wife, if any, jointly, or by the debtor, if unmarried, with the sanction of the Judge of the Superior Court of the county where the debtor resides, or the land is situated upon application to him, the proceeds to be re-invested upon the same uses.

The amendment was lost.

The third section, as amended, was adopted.

Mr. Brown moved the adoption of an additional section as follows :

In all cases where the plaintiff in *fi. fa.* is the head of the family, and owns less property than the defendant in *fi. fa.*, the defendant shall not be entitled to the benefit of the homestead, provided for in this Constitution, so far as said debt is concerned.

Mr. Twitty moved to lay the amendment of Mr. Brown upon the table.

Mr. Brown called for the yeas and nays and the call was sustained.

Those voting in the affirmative were, Messrs.—

Anderson,	Lawson,
Awbrey,	Lofton,
Bachlott,	Little,
Brannen,	Lewis,
Bass,	Lowe,
Bristow,	Matthews,
Bryan,	Mattox,
Bush,	McRea,
Carter,	Mercier,
Clifton,	Mershon,
Clark,	Mobley,
Chambers,	Moore,
Coney,	Nisbet,
Creech,	Newell,
Davis of the 10th,	Pace,
Davis of the 23d,	Pierce,

Dell,
 Dickey,
 Dismuke,
 Donaldson,
 DuBose,
 Edge,
 Ellington,
 Fain,
 Featherston,
 Flewellen,
 Furman,
 Furlow,
 Gay,
 Gignilliatt,
 Gorman,
 Gibbs,
 Hamilton of the 42d,
 Harrell,
 Hawkins,
 Hansell,
 Hammond of the 35th,
 Hammond of the 22d,
 Hardy,
 Heard,
 Hewell,
 Hill,
 Hunt,
 Hudson of the 29th,
 Hudson of the 25th,
 Ingram,
 Jackson,
 Jones,
 Johnson of the 30th,
 Key,

Perry,
 Phillips of the 36th,
 Porter,
 Ponder,
 Reese of the 28th,
 Render,
 Russell of the 8th,
 Sanders,
 Sanford,
 Seward,
 Simmons,
 Scott of the 13th,
 Scott of the 30th,
 Stokes,
 Spence of the 35th,
 Swanson,
 Screven,
 Smith,
 Stevens of the 6th,
 Toombs,
 Trammell,
 Tye,
 Twitty,
 Thompson,
 Tuggle,
 Tumlin,
 Warren of the 23d,
 Wells,
 Whiddon,
 Wimberly,
 Wilson,
 Wright,
 Winn, R. D.
 Wofford.

Those voting in the negative were Messrs.—

Barrett,	Johnson of the 19th,
Braddy,	Lawton,
Brown,	Logino,
Burnett,	May,
Boyd,	McDonald,
Cain,	McCallum,
Camp,	McIntosh,
Collier,	McFarland,
Conley,	McLeod,
Coats,	Mosely,
Cooper,	Mynatt,
Crane,	Osborne,
Day,	Paris,
Denton,	Phillips of the 18th,
Field,	Respass,
Gartrell,	Rosser,
Guerry,	Roberts,
Garren,	Robertson,
Glover,	Ross,
Guerard,	Sibley,
Graham,	Spence of the 5th,
Grace,	Stroud,
Goff,	Shepherd,
Greer of the 13th,	Swearingen,
Greer of the 21st,	Stevens of the 40th,
Hamilton of the 21st,	Tift,
Hall,	Tharpe,
Hand,	Underwood of the 31st
Head,	Underwood of the 32d,
Henry,	Wallace,
Heath,	Warthen,
Hicks,	Wellborn,
Holcombe,	Williams,
Hollifield,	Willis.

Horne,
Johnson of the 18th,

Winn, L. J.

Yeas, 100.

Nays, 71.

So the amendment of Mr. Brown lies on the table.

Mr. Pierce, of Hancock, moved to take up the report of the special Committee of nine on the Location of the Capital, being the special order for to-day at eleven o'clock.

Mr. Wallace moved to strike out the word "yearly," in order to correct the report of the committee, which motion prevailed.

Mr. Brown moved that the rule adopted on yesterday, as to the time allowed to each speaker, be suspended for to-day.

Mr. Russell of the Eighth District, moved to lay the motion upon the table, which motion prevailed.

Majority report of Committee on Location of the Capital :

The undersigned, being a majority of the committee to which was referred the matter relative to the location of the Capital, beg leave to submit the following resolutions and accompanying statement to the Convention as their re-

port :

JOHN COLLIER,
FRANCIS FONTAINE,
M. S. WALLACE,
SAMUEL HAWKINS,
POPE BARROW,

The above is the report of a majority of the committee.

M. H. LEWIS, *Chairman.*

Resolved, That the chairman report back to the Convention the proposition of the city of Atlanta to donate lands and erect a Capital building in the city of Atlanta for the State of Georgia, together with a statement in detail of the money expended by the city of Atlanta in payment for the Opera House, now used as a State Capital.

Resolved, further, That the question whether Atlanta shall be the permanent Capital be submitted to the Convention, to be by that body decided, or submitted to the people, as it may deem most expedient.

The city of Atlanta submits the following memorial to the Constitutional Convention :

If Atlanta is selected by the Convention as the permanent Capital of the State, and if such election is submitted, and the same is ratified by the people, the city of Atlanta will convey to the State of Georgia, any ten acres of land in or near the city of Atlanta now unoccupied ; or the square in the heart of said city, known as the City Hall lot, containing five acres of land, and bounded by a street on every side, on which to locate and build a Capital for the State.

2. The city of Atlanta will build for the State of Georgia on the location selected, a Capital building as good as the old Capital building at Milledgeville.

3. A copy of this memorial, signed by the Mayor, and certified to by the Clerk of Council under the seal of his office, shall be presented to the Constitutional Convention, and when the seat of government shall be permanently

located in Atlanta, as above stated, then the proposition herein contained, if accepted, shall be a binding contract on the city of Atlanta.

CITY CLERK'S OFFICE, ATLANTA, July 18, 1877.

I hereby certify that at a called meeting of the Mayor and Council, held this day at the Mayor's Office, a full board being present, the above memorial was unanimously adopted; and at a meeting of the Mayor and Board of Aldermen, held the same day, a full board being present, the same was unanimously concurred in by them.

N. L. ANGIER, Mayor.

FRANK T. RYAN, Clerk of Council.

A Statement in detail of the Money Expended by the City of Atlanta, in payment for the Opera House.

It appears from the evidence before us that the city of Atlanta, in 1868, made a proposition to the State of Georgia that, if the Capital should be located in Atlanta, that they would furnish, free of cost to the State, for and during the term of ten years, a Capitol. At some time in the year 1868, the city leased for a Capitol a portion of what was known as the Opera House, which was then in process of erection, from H. I. Kimball, for the space of five years, at the price, or sum, of six thousand dollars per annum.

On the 4th day of December, 1868, the city of Atlanta issued to H. I. Kimball sixty bonds, of \$500 each, which were to become due at the rate of \$6,000 per annum.

These bonds were turned over to Kimball; the Opera House was completed, and on the —— day of ——, 1868, the State of Georgia took charge of the Capitol, thus furnished, and have occupied it ever since.

In the year 1870, the State agreed to purchase the building that had been thus leased by the city of Atlanta, and to pay for the same the sum of \$380,000; the city of Atlanta agreeing, in the meantime, to pay a sum in the aggregate of \$130,000 for and on account of the Capitol, and to be relieved entirely from the first obligation to furnish a Capitol, free of cost, to the State for the term of ten years. The city of Atlanta did, accordingly, on the 23d day of August, 1870, make and deliver to the State a certificate, as follows :

STATE OF GEORGIA—CITY OF ATLANTA.

To whom it may concern :

The Mayor and Council of the city of Atlanta hereby certify that there is due from the city of Atlanta to the State of Georgia the seven per cent. bonds of said city to the amount of \$130,000, which said bonds said Mayor and Council propose to contribute toward the purchase, by the State, of the Kimball Opera House property, and which said proposition has been accepted, and the purchase has been made, said bonds are to be delivered to the holder of this certificate upon the return thereof.

This certificate was deposited by H. I. Kimball with the Governor, to indemnify the State against a certain mortgage for \$60,000 that was outstanding against said property, thus purchased.

On the 25th day of August, 1870, H. I. Kimball gave to the city the following receipt :

Received of the City of Atlanta, thirty thousand dollars of bonds, which they have contracted to give the State in part payment for Capitol building.

The bonds of the city of Atlanta, to the amount of

\$100,000, were prepared, bearing date October 29, 1870, and on the — day of December, 1875, E. N. Kimball presented the before mentioned certificate to the city authorities of Atlanta, and they delivered to E. N. Kimball \$75,000 of the bonds of the city, and E. N. Kimball delivered up said certificate to the city authorities.

At the time these \$75,000 of bonds were delivered to E. N. Kimball, some question arose between the City Council and Kimball about interest. This question was settled between Kimball and the City Council, and on the 31st of December, 1870, the balance of the \$100,000 of the city bonds was delivered to Kimball. How this certificate of \$100,000, that was placed in the hands of the authorities of the State, for the protection of the State against the mortgage that was outstanding against the Capitol building, got out of the hands of the Executive of the State, and into the hands of Kimball, while the mortgage was still in full force against the property, is a question that your committee have not been able to determine. We learn that there is an investigation now being had in the Courts of this State that may throw some light on this question. Our investigation does not, however, justify the conclusion that the city of Atlanta had anything to do with this certificate, after it was placed into the hands of the State, until it was presented and the bonds were demanded.

On the contrary, after a patient and careful investigation, we are satisfied that the city of Atlanta has acted in the utmost good faith, and that they have paid every dollar that they have agreed to pay toward the purchase of the Capitol building.

It appears that at the time of the purchase of the Capitol by the State, that there was a mortgage of \$60,000 outstanding and unsatisfied against the property, which was

to be paid before the certificate was delivered up to any one, and thereby leave the title unencumbered.

This, for some reason, was not done, and since that time this mortgage has been foreclosed on this property by B. H. Hill & Son, attorneys for holders of the mortgage. On the nineteenth day of July, 1876, the city of Atlanta paid off and had transferred to them the judgment and *fi. fa.* that had been obtained on the foreclosure of said mortgage, for which they paid the sum of \$79,233.91. This *fi. fa.* and judgment is still held by the city of Atlanta with an agreement entered into between Governor James M. Smith and the city of Atlanta, that said *fi. fa.* should not be enforced against said property so long as the capital shall remain at the city of Atlanta.

We have made a personal examination of the books in which the bonds of the city are registered, and we are satisfied that the bonds of the city were issued as above stated. It gives us pleasure here to state, what we had heretofore doubted, that in all things, as far as we can ascertain after a careful investigation, that the city authorities have not only paid all that they ever agreed to pay towards the Capitol, but that they have taken up, in addition thereto, which they still hold, the mortgage, judgment and *fi. fa.* previously referred to.

That the State has been greatly wronged in the purchase of the Capitol, we do not doubt, but that the fault is attributable to the city authorities of Atlanta, we have no reason to believe.

MINORITY REPORT.

The undersigned, being a minority of the special Committee appointed to report upon the question of locating the capital of the State of Georgia, beg leave to submit to

the Convention, the following ordinance, and recommend its adoption :

M. W. LEWIS,
S. HALL,
B. L. STEPHENS,
F. C. FURMAN.

Be it ordained by the people of Georgia, in Convention assembled :

First, that the question of the location of the Capital of this State, be kept out of the Constitution to be adopted by the Convention.

Second, that at the first general election hereafter held for members of the General Assembly, every voter may endorse on his ballot "Atlanta" or "Milledgeville," and the one of these places receiving the largest number of votes shall be the Capital of the State until changed by the same authority, and in the same way that may be provided for the alteration of the Constitution that may be adopted by the Convention—whether said Constitution be ratified or rejected.

Mr. Lewis moved that the following amendment be added to the report of the committee :

And in the event of the rejection of said Constitution, should a majority of the votes cast be in favor of Milledgeville, then this provision to operate and take effect as an amendment to the present Constitution.

Which, by unanimous consent, was agreed to.

Mr. Wright, of the Forty-second District, offered the following substitute :

1. Be it ordained by the Convention that the proposition

of the city of Atlanta, relative to the location of the capital in said city, be, and the same is, hereby accepted, subject to the provisions hereinafter contained; subject, also, to the ratification or rejection of the people, at the election to be held upon the adoption of this Constitution.

2. If at the inauguration of the next Governor of this State, in 1881, Atlanta shall have complied with her proposition in all respects, which shall be judged of by the Supreme Court of this State, then the State of Georgia will relinquish her interest in and to the present capital to said city, and Atlanta shall be the capital of the State of Georgia.

3. At the election to be held on the adoption of this Constitution, the people in favor of Atlanta shall endorse on their tickets, "Proposition of Atlanta accepted;" those opposed to it, and in favor of Milledgeville, shall endorse on their tickets "Milledgeville."

4. If a majority of the votes shall be in favor of Atlanta, then Atlanta shall proceed at once to the execution of its proposition.

5. If a majority of the votes shall be in favor of Milledgeville, then the capital shall be removed at once, so soon as possible, to the city of Milledgeville, and said city shall be thereafter the capital, and the State officers shall there reside; and in consideration of outlays made by the city of Atlanta the State will relinquish to said city its right and title to the present State House and Executive mansion.

Mr. Holcombe moved to table the substitute of Mr. Wright, which motion was agreed to.

Mr. Holcombe, of the Thirty-ninth District, offers the

following as a substitute for the report of the Minority Committee :

The proposition of the city of Atlanta to convey to the State any ten acres of land in or near the city of Atlanta, now unoccupied, or the square in the heart of the city known as the City Hall lot, containing five acres of land, and bounded by a street on every side, on which to locate and build a Capitol for the State of Georgia on the location selected, a capitol building as good as the old capitol building in Milledgeville, is hereby accepted, and the General Assembly shall provide for a consummation of the arrangement between the city of Atlanta and this State.

In the event the city of Atlanta shall fail to comply fully and fairly with such contract, the General Assembly may remove the capital from said city.

Pending the discussion of Mr. Holcombe's substitute, Mr. Brown on the floor, Mr. Toombs made a motion that the Convention adjourn until half-past three o'clock P.M., which was agreed to, and the President declared the Convention adjourned until the hour aforesaid.

AFTERNOON SESSION.

The Convention met pursuant to adjournment, with Vice-President Lawton in the chair.

Mr. Lofton offered the following amendment to the minority report, by adding to the second paragraph the following words :

And that every person entitled to vote for members of the General Assembly, under the present Constitution and laws of this State, shall be entitled to vote under this ordinance.

Mr. Wells called the previous question, and the call was sustained.

The main question was ordered, being upon the substitute of Mr. Holcombe which was rejected by the Convention.

The amendment of Mr. Lofton to the ordinance of the minority committee was agreed to.

The ordinance as amended was adopted.

Mr. Lawton offered the following ordinance as a substitute for the minority report ordinance, which was read for information :

The question of the future location of the Capital of Georgia shall be submitted to the qualified voters of the State for decision, and the place receiving a majority of the votes cast shall be the permanent capital. The first General Assembly which meets under the Constitution framed by this Convention, shall provide by law the mode in which this question shall be submitted to the people.

Mr. Wright, of the Forty-second District, offered the following, to come in after the fourth section, as an addition to the same: except that one cow and calf; and for every additional three children, an additional cow and calf, thirty head stock hogs, one dozen sheep, one horse and mule, farming gear and implements for the same, one wagon, his gun, and family Bible, shall never be levied on, or sold, by virtue of any process whatever.

Upon motion of Mr. Underwood, of the Thirty-first District, the foregoing was laid on the table.

Mr. McDonald proposed the following, to come in after the word "property," in the second line :

Provided, any head of a family, or guardian, or trustee of a family of minor children, and every aged or infirm person, or persons having the care and maintenance of infirm persons, may avail themselves of the benefit of the homestead known as the honest debtor's act, in lieu of the homestead herein provided.

Upon motion, the above was laid on the table.

Mr. Hansell offered an amendment, which was accepted by Mr. McDonald, adding after the "honest debtor's act," the words: with its amendments.

The previous question was called and sustained, and the vote taken first on the following:

Mr. Brown, of Cherokee, offered the following amendment to come in as a proviso at the end of the substitute of Mr. McDonald:

Provided, the property so set apart shall not exceed in value sixteen hundred dollars; and provided further, no person shall be allowed to avail himself or herself of both of the homesteads provided for in this Constitution, and provided the same right of waiver shall be allowed as within.

The amendment of Mr. Brown was agreed to.

The original paragraph was adopted.

Mr. DuBose offered the following:

Nothing herein provided shall prevent the debtor from giving a mortgage upon the annual crops grown on the land exempted by this article for the purchase of necessary supplies for the family and the plantation.

Upon motion, the foregoing was laid on the table.

Mr. Brown moved to strike out the fifth section.

The motion to strike out was laid on the table.

Mr. Bristow moved to amend by inserting after the word "allowed," in second line, the following: or where any portion of the property set apart has been consumed in the usual way or lost by natural causes.

The amendment was lost.

The fifth section was adopted.

Mr. Mobley offered an additional section which was laid on the table.

Mr. Greer, of the Twenty-first District, offered an additional section requiring the homestead and personal property to be exempted shall be valued by a commission of three free-holders, etc., which, upon motion, was laid on the table.

Mr. Hunt, of the Twenty-second District, moved to amend by adding at the end of the sixth section the following words: In all cases where homesteads have been set apart under the Constitution of 1868, and the laws made in pursuance thereof, and a bona fide sale of such property subsequently made, and the full purchase price thereof paid, all rights of exemption in such property, by reason of having been so set apart, shall cease, in so far as it affects the rights of the purchaser. In all such cases where a part only of the purchase price has been paid such transactions shall be governed by the laws of force in this State, in so far as they affect the rights of the purchaser, as though such property had not been so set apart.

The amendment was agreed to.

Mr. Edge, chairman of the Committee on Conventional Expenses, submitted the following :

WHEREAS, The Committee appointed by this Convention to investigate the feasibility of procuring means to meet the expenses of this body, not provided for by the General Assembly, and report the same to this Convention ; and, whereas, the committee submitted their report several days since, informing the Convention that the necessary sum of money could be procured, and authorized the President of this Convention to secure the funds upon the conditions fixed by the ordinance providing for the same ; and, whereas, General Robert Toombs, of the county of Wilkes, has accepted the contract upon the conditions provided in said ordinance, and is now ready to advance the money, upon the official authority of the President of the Convention ;

Therefore be it ordained by the people of Georgia, in Convention assembled, and it is hereby ordained by the authority of the same, That this Convention accept the tender of General Toombs, and instruct the Hon. Charles J. Jenkins, President of the Convention to proceed immediately to issue a sufficient number of bonds at 7 per cent. per annum to run until the close of the first session of the next General Assembly, or sooner if funds come into the Treasury which can be made available, to the amount of one thousand dollars each, as may be necessary to defray the expenses of this body, and deposit the same with the Treasurer of the State for disbursement under the authority of this Convention.

The Convention unanimously adopted the foregoing report and ordinance.

Mr. Edge Chairman of Committee on Conventional Expenses submitted the following :

Your Committee cannot at this opportune time forego the pleasure of giving some public expression of the gratitude of this Convention, and the people of Georgia, in acknowledging the disinterested liberality and irreproachable devotion of our distinguished fellow citizen, General Robert Toombs, to the interest of our beloved State: therefore, be it—

Resolved, That the thanks of this Convention, and the people of Georgia, through this Convention, be, and the same are hereby unanimously tendered General Toombs for this unmistakeable evidence of his devotion to the cause of Liberty, Truth, and Georgia.

Upon motion of Mr. Mobley, the resolution was agreed to by a rising vote.

Mr. Seward moved the Convention do now adjourn until eight and a half o'clock to-morrow morning, and the Convention was declared adjourned until that hour.

ATLANTA, GEORGIA,

WEDNESDAY, August 22, 1877.

The Convention met this morning pursuant to adjournment, and was called to order by Vice-President Lawton.

Prayer was offered by the Rev. Mr. Hamilton, of the Forty-second District.

Messrs. Hammond, of the Twenty-second District, Lawson, Harrell, Greer, of the Twenty-first District, and McDonald gave notice that they would move the reconsideration of certain portions of the Journal of yesterday.

Messrs. Hammond, of the Twenty-second, and Harrell,

by consent of the Convention, discussed the reconsideration of so much of the Journal of yesterday as refers to the action of the Convention in adopting the third section of the report of the Committee of Final Revision on the report of the Committee on Homestead and Exemptions, which they jointly moved to reconsider.

Mr. Tumlin moved to lay the motion to reconsider upon the table.

Mr. Mynatt called for the yeas and nays, which call was sustained.

Upon the call of the yeas and nays, the vote resulted as follows :

Those voting in the affirmative are Messrs. —

Anderson,	Knight,
Bachlott,	Lofton,
Brannen,	Lowe,
Braddy,	Logino,
Brown,	May,
Boyd,	McCallum,
Cain,	McIntosh,
Camp,	McFarland,
Carter,	McRea,
Clark,	Mershon,
Chancy,	Mosely,
Crane,	Moore,
Day,	Mynatt,
Denton,	Osborne,
DuBose,	Paris,
Ellington,	Phillips of the 18th,
Fain,	Porter,
Field,	Respass,
Garren,	Rosser,

Glover,
 Guerard,
 Graham,
 Gibbs,
 Grace,
 Goff,
 Greer of the 21st,
 Hamilton of the 21st,
 Hawkins,
 Hammond of the 35th,
 Hall,
 Head,
 Heard,
 Henry,
 Hill,
 Howell,
 Horne,
 Hudson of the 25th,
 Hudson of the 29th,
 Ingram,
 Johnson of the 18th,

Roberts,
 Robertson,
 Ross,
 Sale,
 Simmons,
 Sibley,
 Scott of the 13th,
 Spence of the 5th,
 Shepherd,
 Swearingen,
 Stevens of the 40th,
 Trammell,
 Tift,
 Tye,
 Tumlin,
 Underwood of the 31st,
 Underwood of the 32d,
 Warthen,
 Wellborn,
 Williams,
 Winn, L. J.

Those voting in the negative were, Messrs.—

Awbrey,
 Barrett,
 Bass,
 Bristow,
 Burnett,
 Bush,
 Collier,
 Clifton,
 Chambers,
 Conley,
 Coney,
 Coats,
 Cooper,

Key,
 Lawson,
 Little,
 Lewis,
 Matthews,
 Mattox,
 McDonald,
 McLeod,
 Mercier,
 Mobley,
 Nisbet,
 Newell,
 Pace,

Creech,
 Davis of the 10th,
 Davis of the 23d,
 Dell,
 Dickey,
 Dismuke,
 Edge,
 Featherston,
 Flewellen,
 Fontaine,
 Furman,
 Furlow,
 Gartrell,
 Guerry,
 Gay,
 Gignilliatt,
 Gorman,
 Greer of the 13th,
 Hamilton of the 42d,
 Harrell,
 Hansell,
 Hammond of the 22d,
 Hand,
 Hardy,
 Hewell,
 Heath,
 Hicks,
 Hollifield,
 Hunt,
 Jackson,
 Jones,
 Johnson of the 19th,
 Johnson of the 30th,

Pierce,
 Perry,
 Phillips of the 36th,
 Ponder,
 Reese of the 28th,
 Render,
 Russell of the 1st,
 Sanders,
 Seward,
 Scott of the 30th,
 Stokes,
 Spence of the 35th,
 Swanson,
 Screven,
 Smith,
 Stevens of the 6th,
 Toombs,
 Twitty,
 Thompson,
 Tuggle,
 Tharpe,
 Warren of the 23d,
 Wallace,
 Westmoreland,
 Wells,
 Whiddon,
 Wimberly,
 Wilson,
 Willis,
 Wright.
 Winn, R. D.
 Wofford.

Yeas 80.

Nays 91.

So the motion to lay on the table did not prevail.

Mr. Hammond moved the previous question on the reconsideration of the third section of the report, which was seconded.

Mr. Crane called for the yeas and nays, which call was sustained.

Those voting in the affirmative were Messrs.—

Awbrey,	Little,
Barrett,	Lewis,
Bass,	Matthews,
Bristow,	Mattox,
Bush,	McDonald,
Chambers,	McLeod,
Coney,	. Mercier,
Coates,	Mobley,
Cooper,	Nisbet,
Creech,	Newell,
Davis of the 10th,	Pace,
Davis of the 23d,	Pierce,
Dell,	Perry,
Dickey,	Phillips of the 36th,
Dismuke,	Ponder,
Donaldson,	Reese of the 28th,
Edge,	Render,
Featherston,	Russell of the 1st,
Flewellen,	Sanders,
Fontaine,	Sanford,
Furman,	Seward,
Furlow,	Scott of the 30th,
Gartrell,	Spence of the 35th,
Guerry,	Stroud,
Gay,	Swanson,
Gignilliat,	Screven,

Gorman,
Greer of the 13th,
Hamilton of the 42d,
Harrell,
Hansell,
Hammond of the 22d,
Hand,
Hardy,
Hewell,
Heath,
Hicks,
Hunt,
Jackson,
Jones,
Johnson of the 19th,
Johnson of the 30th,
Key,
Lawson,

Smith,
Stevens of the 6th,
Toombs,
Twitty,
Thompson,
Tuggle,
Tharpe,
Warren of the 23d,
Wallace,
Westmoreland,
Wells,
Whiddon,
Wilson,
Willis,
Wright.
Winn, R. D.,
Wofford.

Those voting in the negative are Messrs.—

Anderson,
Bachlott,
Barrow,
Brannen,
Braddy,
Brown,
Burnett,
Boyd,
Cain,
Camp,
Collier,
Clark,
Chancy,
Crane,
Day,
Denton,

Knight,
Lofton,
Lowe,
Logino,
May,
McCallum,
McIntosh,
McFarland,
McRea,
Mershon,
Mosely,
Moore,
Mynatt,
Osborne,
Paris,
Phillips of the 18th,

DuBose,
Ellington,
Fain,
Field,
Garren,
Glover,
Guerard,
Graham,
Gibbs,
Grace,
Goff,
Greer of the 21st,
Hamilton of the 21st,
Hawkins,
Hammond of the 35th,
Hall,
Head,
Heard,
Henry,
Hill,
Howell,
Hollifield,
Horne,
Hudson of the 25th,
Hudson of the 29th,
Ingram,
Johnson of the 18th,

Porter,
Reese of the 29th,
Respass,
Rosser,
Roberts,
Robertson,
Sale,
Simmons,
Sibley,
Scott of the 18th,
Stokes,
Spence of the 5th,
Shepherd,
Swearingen,
Stevens of the 40th,
Trammell,
Tift,
Tye,
Tumlin,
Underwood of the 31st,
Underwood of the 32d,
Warthen,
Wellborn,
Wimberly,
Williams,
Winn, L. J.

Yeas, 87.

Nays, 85

So the motion to reconsider the third section of the report of the committee prevailed.

Mr. McDonald moved the reconsideration of so much of the Journal as relates to the action of the Convention in

rejecting his amendment to the fourth section on yesterday.

Mr. Hansell called for the yeas and nays which call was sustained.

Those voting in the affirmative were Messrs.—

Awbrey,	Key,
Bachlott,	Lawson,
Brannen,	Little,
Bass,	Lewis,
Bristow,	Lowe,
Boyd,	Mattox,
Bush,	McDonald,
Camp,	McCallum,
Carter,	McFarland,
Collier,	McRea,
Chambers,	Mercier,
Conley,	Mobley,
Coney,	Nisbet,
Coats,	Pace,
Creech,	Paris,
Davis of the 10th,	Perry,
Davis of the 23d,	Phillips of the 36th,
Dell,	Ponder,
Denton,	Reese of the 28th,
Dismuke,	Render,
Donaldson,	Ross,
Edge,	Sanders,
Featherston,	Sanford,
Flewellen,	Seward,
Fontaine,	Scott of the 13th,
Furlow,	Spence of the 5th,
Gartrell,	Spence of the 35th,
Guerry,	Shepherd,
Gay,	Swanson,
Gorman,	Swearingen,
Grace,	Screven,
Hamilton of the 42d,	Smith,

Harrell,	Stevens of the 6th,
Hawkins,	Stevens of the 40th,
Hansell,	Toombs,
Hammond of the 22d,	Tift,
Hammond of the 35th,	Thompson.
Hall,	Tuggle.
Head,	Tharpe,
Hewell,	Underwood of the 32d
Heath,	Warren of the 23d,
Hicks,	Wallace,
Hollifield,	Warthen,
Horne,	Westmoreland,
Hunt,	Wells,
Hudson of the 25th,	Whiddon,
Hudson of the 29th,	Wilson,
Ingram,	Willis.
Jones,	Wright,
Johnson of the 19th,	Winn, R. D.
Johnson of the 30th,	Wofford.

Those voting in the negative were Messrs.—

Braddy,	Jackson,
Brown,	Johnson of the 18th,
Burnett,	Lofton,
Cain,	Logino,
Clifton,	May,
Clark,	McIntosh,
Chancy,	Mershon,
Cooper,	Mosely,
Crane,	Moore,
Day,	Mynatt,
Dickey,	Osborne,
DuBose,	Pierce,
Ellington,	Phillips of the 18th,
Fain,	Porter,
Field,	Respass,
Garren,	Rosser,
Glover	Roberts,

Guerard,
Gignilliatt,
Graham,
Gibbs,
Goff,
Greer of the 13th,
Greer of the 21st,
Hamilton of the 21st,
Hand,
Hardy,
Heard,
Henry,
Hill,
Howell,
Holcombe,

Robertson,
Russell of the 8th,
Sale,
Simmons,
Sibley,
Stokes,
Stroud,
Trammell,
Tye,
Twitty,
Tumlin,
Underwood of the 31st
Wimberly,
Williams,
Winn, L. J.,

Yeas, 102.

Nays, 64.

So the motion of Mr. McDonald to reconsider prevailed.

Mr. Greer, of the Twenty-first District, moved to reconsider so much of the Journal of yesterday, as refers to the action of the Convention in rejecting an additional section requiring the homestead and personal property to be exempted by a commission of three freeholders, etc., which was agreed to.

Mr. Crane moved to indefinitely postpone further consideration of the reports of the Committee on Public Institutions, which was not agreed to.

Mr. Harrell, chairman of the Committee on Rules, moved to suspend the rules for the purpose of taking up and adopting certain rules proposed by the Committee on Rules.

Upon motion of Mr. Seward, the report of the Committee was laid upon the table.

Mr. Brown, of Cherokee, moved the suspension of the rules for the purpose of taking up the following resolution :

Resolved, That M. A. Hardin, Assistant Secretary of the Convention, be, and is hereby, authorized and directed to properly index the Journals of the Convention, and to receive, as compensation for said services, the sum of fifty dollars, which was adopted.

Mr. Lawson moved to strike out "with the consent of his wife, if any, to be made in writing and attested by two witnesses," and insert, after the word "article," in the third line, the following : *Provided*, said waiver shall be, by mortgage, lawfully obtained, signed by the wife, in the presence of two witnesses, particularly and fully describing the property in which exemption may be waived, and no final judgment had thereon, unless it is affirmatively shown that the consideration of the debt created was for the benefit of the family entitled to said exemption.

Mr. Crane, of the Thirty-fifth District, moved to amend by striking out all after the word "power," in first line, and before "to waive," in second line, and insert : in writing.

Mr. Wright, of the Forty-second District, offered the following as a substitute for section three :

The debtor shall not have power to waive or renounce his right to the benefit of the exemption provided for in this article. And he shall not, after it is set apart, alienate or encumber the property so exempted, but it may be sold by the debtor and his wife, if any, jointly, with the sanction of the Judge of the Superior Court of the county

where the debtor resides, or the land is situated, upon application to him, the proceeds to be reinvested upon the same uses.

The homestead herein provided shall be a *fee simple title* to the head of the family, and shall descend to his heirs.

Mr. Crane moved the previous question which was seconded.

The question was upon the amendment of Mr. Crane, which was agreed to.

The original section as amended was agreed to.

The hour for adjournment having arrived the President declared the Convention adjourned until three and a half o'clock this afternoon.

AFTERNOON SESSION.

THREE AND A HALF O'CLOCK.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Mr. Render of the Thirty-sixth district moved to suspend the rules for the purpose of introducing the following resolution :

Resolved, That when this Convention adjourn it adjourn to meet at eight o'clock to-night.

The resolution was not agreed to.

Mr. McDonald of the Fifth district moved the adoption of his amendment rejected on yesterday, known as the "honest debtor's act."

Mr. Toombs moved to amend Mr. McDonald's amendment by striking out the last proviso, which is in these words :

Provided, The land exempted under said laws shall not exceed in value one thousand dollars.

Mr. McDonald moved the previous question which was seconded.

Mr. Crane moved to lay both amendments upon the table, and called for the yeas and nays.

The call for the yeas and nays was not sustained.

The motion to lay on the table did not prevail.

The yeas and nays were called, and the call sustained upon the motion to adopt the amendment of Mr. McDonald, as amended.

Those voting in the affirmative were Messrs.—

Anderson,
Awbrey,
Bachlott,
Brannen,
Bass,
Bristow,
Burnett,
Bryan,
Bush,
Camp,
Carter,
Clifton,
Chambers,
Coney,

Johnson of the 42d,
Key,
Knight,
Lawson,
Little,
Lewis,
Lowe,
Matthews,
Mattox,
McDonald,
McCallum,
McLeod,
Mercier,
Mershon,

Coats,
 Creech,
 Davis of the 10th,
 Davis of the 23d,
 Dell,
 Dismuke,
 Donaldson,
 Edge,
 Fain,
 Featherston,
 Flewellen,
 Fontaine,
 Furman,
 Furlow,
 Gartrell,
 Guerry,
 Gay,
 Gorman,
 Grace,
 Goff,
 Greer of the 13th,
 Hamilton of the 21st,
 Hamilton of the 42d,
 Harrell,
 Hawkins,
 Hansell,
 Hammond of the 22d,
 Hammond of the 35th,
 Hall,
 Hand,
 Hardy,
 Heard,
 Hewell,
 Hicks,
 Hollifield,
 Horne,

Mobley,
 Moore,
 Nisbet,
 Newell,
 Pace,
 Paris,
 Perry,
 Phillips of the 36th,
 Ponder,
 Reese of the 28th,
 Reese of the 29th,
 Render,
 Rogers,
 Russell of the 1st,
 Russell of the 8th,
 Sale,
 Sanford,
 Seward,
 Scott of the 13th,
 Scott of the 30th,
 Spence of the 5th,
 Spence of the 35th,
 Swanson,
 Swearingen,
 Screven,
 Smith,
 Stevens of the 6th,
 Toombs,
 Trammell,
 Tift,
 Thompson,
 Tuggle,
 Tharpe,
 Warren of the 23d,
 Wallace,
 Warthen,

Hunt,	Westmoreland,
Hudson of the 25th,	Wells,
Hudson of the 29th,	Whiddon,
Ingram,	Wilson,
Jackson,	Willis,
Jones,	Wright,
Johnson of the 19th,	Winn, R. D.
Johnson of the 30th,	Wofford.

Those voting in the negative were Messrs.—

Braddy,	McIntosh,
Brown,	McRea,
Boyd,	Mosely,
Cain,	Mynatt,
Collier,	Osborne,
Clark,	Pierce,
Cooper,	Phillips of the 18th,
Crane,	Porter,
Day,	Respass,
Denton,	Rosser,
Dickey,	Roberts,
DuBose,	Robertson,
Ellington,	Ross,
Field,	Rowe,
Garren,	Simmons,
Glover,	Sibley,
Guerard,	Stokes,
Gignilliatt,	Stroud,
Graham,	Shepherd,
Gibbs,	Stevens of the 40th,
Greer of the 21st,	Tye,
Head,	Twitty,
Henry,	Tumlin,
Hill,	Underwood of the 31st,
Howell,	Underwood of the 32d,
Holcombe,	Wellborn,

Johnson of the 18th,
Lofton,
Logino,
May,

Wimberly,
Williams,
Winn, L. J.

Yeas 116.

Nays 59.

So the amendment of Mr. McDonald, as amended by Mr. Toombs, was agreed to.

Mr. Crane, of the Thirty-fifth District, offered the following proviso :

Provided, the debtors or person contracting a debt shall have the right to waive all said exemptions except three hundred dollars worth of the same, which was not entertained.

Mr. Greer, of the Twenty-first District, offered the following as an additional section :

The homestead and personal property to be exempted shall be set apart and valued by a commission of three freeholders of the county, one to be selected by the applicant, one by the creditor, or creditors, and the other by the Ordinary, and an appeal from their award may be taken to a jury in the Superior Court; which was adopted as an additional paragraph.

Mr. Moore, of the Forty-third District, offered an additional article :

The provisions of the article shall apply only to debts contracted, or liabilities incurred after this Constitution shall become of force, as to all debts previously contracted, the debtor shall be entitled to all the rights of

homestead and exemption, conferred by laws of force when the contract or liability incurred.

Upon motion, the article of Mr. Moore was laid upon the table.

Mr. Brown offered the following as an additional section:

The debtor shall have power to waive or renounce, in writing, his right to the benefit of the exemption provided for in section four, except as to household and kitchen furniture, wearing apparel and provisions for one year, to be selected by himself and wife, if any, not to exceed three hundred dollars in value.

Mr. Brown moved the previous question upon the adoption of his amendment, which was sustained.

Mr. Hudson, of the Twenty-ninth District, called for the yeas and nays, which call was seconded.

Upon the call for the yeas and nays, it resulted as follows:

Those voting in the affirmative were, Messrs.—

Bachlott,
Barrow,
Brannen,
Braddy,
Brown,
Burnett,
Bryan,
Boyd,
Bush,
Cain,
Camp,

Lowe,
Logino,
May,
McCallum,
McIntosh,
McRea,
Mershon,
Mosely,
Mynatt,
Nisbet,
Osborne,

Carter,
 Collier,
 Clark,
 Chancy,
 Crane,
 Day,
 Denton,
 Dickey,
 DuBose,
 Ellington,
 Fain,
 Field,
 Glover,
 Guerard,
 Gignilliatt,
 Graham,
 Grace,
 Goff,
 Greer of the 13th,
 Greer of the 21st,
 Hamilton of the 21st,
 Hammond of the 35th,
 Hand,
 Head,
 Hewell,
 Henry,
 Howell,
 Horne,
 Hudson of the 25th,
 Hudson of the 29th,
 Ingram,
 Johnson of the 18th,
 Johnson of the 42d,
 Knight,
 Lofton,

Pace,
 Paris,
 Pierce,
 Phillips of the 18th,
 Porter,
 Respass,
 Rosser,
 Rogers,
 Roberts,
 Robertson,
 Ross,
 Rowe,
 Sale,
 Simmons,
 Sibley,
 Scott of the 30th,
 Stokes,
 Spence of the 5th,
 Spence of the 35th,
 Stroud,
 Shepherd,
 Stevens of the 40th,
 Trammell,
 Tift,
 Tye,
 Tumlin,
 Underwood of the 31st
 Underwood of the 32d,
 Warthen,
 Wellborn,
 Wimberly,
 Williams,
 Wilson,
 Winn, L. J.

Those voting in the negative were Messrs.—

Anderson,
Awbrey,
Barrett,
Bass,
Bristow,
Clifton,
Chambers,
Coney,
Coats,
Cooper,
Creech,
Davis of the 10th,
Davis of the 23d,
Dell,
Dismuke,
Donaldson,
Edge,
Featherston,
Flewellen,
Fontaine,
Furman,
Furlow,
Gartrell,
Guerry,
Gay,
Gorman,
Gibbs,
Hamilton of the 42d,
Harrell,
Hawkins,
Hansell,
Hammond of the 22d,
Hall,
Hardy,

Johnson of the 30th,
Key,
Lawson,
Little,
Lewis,
Matthews,
Mattox,
McDonald,
McLeod,
Mercier,
Mobley,
Newell,
Perry,
Phillips of the 36th,
Ponder,
Reese of the 28th,
Reese of the 29th,
Render,
Russell of the 1st,
Russell of the 8th,
Sanford,
Seward,
Scott of the 13th,
Swanson,
Swearingen,
Screven,
Smith,
Stevens of the 6th,
Toombs,
Twitty,
Thompson,
Tuggle,
Tharpe,
Warren of the 23d,

Heard,
 Heath,
 Hicks,
 Hollifield,
 Hunt,
 Jackson,
 Jones,
 Johnson of the 19th,

Wallace,
 Westmoreland,
 Wells,
 Whiddon,
 Willis,
 Wright,
 Winn, R. D.
 Wofford.

Yeas, 91.

Nays, 84.

So the additional section of Mr. Brown was agreed to.

Mr. Wright, of the Forty-second District, offered the following :

The creditor shall not charge the debtor a rate of interest more than seven per cent. per annum. All contracts for a higher rate of interest are void, and involve the loss of principal and interest.

Upon motion of Mr. Ingram, the article of Mr. Wright, was laid on the table.

Mr. Brown offered the following amendment :

In case the wife owns sixteen hundred dollars worth of property, in her own right, the husband shall not be entitled to the benefit of the homestead exemption provided in this Constitution, which was not adopted.

Mr. Lawson offers the following as a substitute for the sixth paragraph.

Homesteads and exemptions of personalty heretofore set apart shall not be affected by anything contained herein,

but they may be relinquished at the option of the applicant, and the provisions of this article accepted in lieu thereof.

Mr. Wallace moved to add, at end of section, a comma instead of a period, and then the following: and she may avail herself of the benefits of the exemption herein provided for; as to said property.

Upon motion, the amendment of Mr. Wallace was laid on the table.

Mr. Fontaine offered the following:

The homestead exemption therein provided shall be submitted to a vote of the people, separate from the Constitution. The qualified voters of the State shall determine by ballot, at the first general election for members of the General Assembly, whether the homestead exemption provided for in the Constitution of 1868, or that provided for by this Constitution, shall prevail.

Mr. Fontaine withdrew his proposition in favor of the one offered by Mr. Nisbet, of Putnam.

Mr. Matthews offered the following as an additional section, to come after the fifth section:

Homesteads and exemptions of personal property which have been heretofore set apart by virtue of the provisions of the existing Constitution of this State, and in accordance with the laws for the enforcement thereof, or which may hereafter be so set apart at any time, shall be and remain valid as to all debts and liabilities existing at the time of the adoption of this Constitution, to the same extent they would have been had said existing Constitution not been revised; which, upon motion, was adopted.

Mr. Bristow moved the adoption of the following amendment to section three: by striking out all after the word "power," in the first line, including "witnesses," in second line, so the section will read: The debtor shall have power to waive or renounce his right to the benefit of the exemption.

Upon motion, the amendment was adopted.

Mr. Nisbet withdrew his proposition in favor of an ordinance offered by Mr. Dell, of Screven.

Mr. Dell, of Screven, offered the following ordinance:

Be it ordained by the people of Georgia, in Convention assembled, and it is hereby ordained by authority of the same—

1. That the article adopted by this Convention on the subject of homesteads and exemptions shall not form a part of this Constitution, except as hereinafter provided.

2. At the election held for the ratification or rejection of this Constitution, it shall be lawful for each voter to have written or printed on his ballot the words "homestead of 1877," or "homestead of 1868."

3. In the event that a majority of the ballots so cast shall have endorsed upon them the words "homestead of 1877," then the said article, so adopted by this Convention, shall form a part of the Constitution submitted, if the same is ratified; but in the event that said Constitution, so submitted, shall not be ratified, then the article on homesteads and exemptions, so adopted as aforesaid by this Convention, shall supercede article seventh of the Constitution of eighteen hundred and sixty-eight on the subject of homestead and exemptions, and form a part of said Constitution.

4. If a majority of the ballots so cast, as aforesaid, shall have endorsed upon them the words "homestead of 1868," then article seventh of the Constitution of 1868 shall supersede the article on homestead and exemption, adopted by this Convention, and shall be incorporated in, and form a part of, the Constitution so submitted and ratified.

Upon motion of Mr. Dell, the foregoing ordinance was adopted.

On motion of Mr. Mobley, of the Twenty-fourth District, the seventh section of the article on homesteads and exemptions was adopted and transferred to the Legislative Department, and is as follows :

Section 7. All property at the time of her marriage, and all property given to, inherited, or acquired by, her, shall remain her separate property, and not be liable for the debts of her husband.

The article on homestead and exemptions, as amended, was adopted.

On motion of Mr. Toombs, the report of the Committee of Final Revision on the report of the Committee on the Laws of General Operation in force in this State was taken up.

Mr. Hammond, of the Thirty-fifth District, moved to amend by adding, before the first paragraph: The laws of general operation in this State are; which was agreed to.

On motion, the first and second paragraphs were adopted.

Mr. Hammond, of the Thirty-fifth District, moved, as a substitute for the first sentence of paragraph three, the following :

PAR. III. In subordination to the foregoing, all laws now of force in this State, not inconsistent with this Constitution, and the ordinances of this Convention, shall remain of force until the same are modified or repealed by the General Assembly.

The third paragraph, as amended, was adopted.

On motion, paragraph four was amended by inserting : or corporations, after "persons," in the second line, and before "not inconsistent," in the same line.

Paragraph four, as amended, was adopted.

Paragraph five was adopted.

Paragraphs six and seven, on motion, were adopted.

On motion of Mr. Lewis, the following words were inserted so as to come at the end of the eighth paragraph : except the ordinances in reference to submitting the capital and homestead questions to a vote of the people, which ordinances, after being voted on, shall have the effect of Constitutional provisions.

The eighth paragraph, as amended, was upon motion, adopted.

The report of the Committee on Laws of General Operation of force in this State, as amended, was adopted.

Mr. Toombs moved to take up the report of the Committee on Final Revision on the report of the Committee on Amendments to the Constitution and Miscellaneous Provisions, which was agreed to.

Pending the adoption of the first section of article on

amendments, Mr. Barrow moved the Convention adjourn until to-morrow at eight and a half o'clock, and the Convention was declared adjourned until that hour.

ATLANTA, GEORGIA,

THURSDAY, August 23, 1877.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Prayer was offered by Rev. Mr. Cooper.

Mr. Pierce introduced the following resolution, and moved the suspension of the rules for the purpose of taking up and considering:

Resolved, That this Convention adjourn *sine die* on Saturday, the 25th instant.

Upon motion of Mr. Reese, of the Twenty-ninth District, the resolution was laid on the table.

Leave of absence was asked for Messrs. McDonald, Conley, Hall, and Donaldson, which was not granted.

Leave of absence was granted to Messrs. Horne and Hardy for to-day.

Mr. Johnson, of the Thirtieth District, moved to suspend the rules for the purpose of taking up the following resolution, which was agreed to.

Mr. Trammell, of the Forty-third District, offered an

amendment, which was accepted by Mr. Johnson, of the Thirtieth District, and, as amended, the resolution reads as follows :

Resolved, That after the final reading of the Constitution, the members of this Convention will proceed to sign the same in the following order: 1st. The President of the Convention, countersigned by the Secretary; 2d. The Vice-President; 3d. The members of the Convention, in alphabetic order. Absent members shall have the privilege of signing their names on blank pages of paper, and attaching the same to said Constitution; which was agreed to.

Mr. Brown moved the suspension of the rules for the purpose of taking up and considering the following ordinance, which was agreed to :

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by authority of the same, that nothing contained in this Constitution adopted by the Convention, shall be so construed as to interfere with the aid, or loan, granted to the Marietta and North Georgia Railroad by act of the General Assembly passed in 1877.

The resolution was adopted.

Mr. Hammond, of the Thirty-fifth District, moved to amend section one on amendments.

Paragraph 1. Any amendment or amendments to this Constitution, may be proposed in the Senate or House of Representatives, and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment, or amendments, shall be entered on their journals, with the yeas and nays taken thereon;

and the General Assembly shall cause such amendment, or amendments, to be published in one or more newspapers in each Congressional District for two months previous to the time of holding the next general election, and shall, also, provide for a submission of such proposed amendment, or amendments, to the people at said next general election, and so on, including all after "people," in the ninth line, which, upon motion, was agreed to.

Mr. Tuggle, of the Thirty-seventh District, offered the following amendment: add to second paragraph the following words: The representation in said Convention shall be based on population as nearly as possible, which was agreed to.

Mr. Johnson, of the Thirtieth District, moved to strike out "Tuesday," in the second line of section two, and insert: Wednesday, which was agreed to.

Upon motion, the article on amendments, as amended, was adopted.

Mr. Hammond, of the Thirty-fifth District, moved to strike out all after "adopted," and add the following: and make proclamation of the result of said election by publication in one or more newspapers in each Congressional District; but should a majority of the votes cast be against ratification, he shall in the same manner proclaim the said Constitution rejected, which, upon motion, was agreed to.

Upon motion of Mr. Hammond, of the Thirty-fifth District, the report of the Committee of Final Revision on the report of the Committee on Amendments to the Constitution and Miscellaneous Provisions, as amended, was adopted.

Mr. Nisbet, of the Twenty-eighth District, offered the following resolution:

Resolved, That the Committee on Style be authorized to have printed five hundred (500) copies of the Constitution for use of the delegates of the Convention before it is taken up for final adoption, which, upon his motion, was agreed to.

Mr. Harrell moved to take up the report of the Committee on Reduction of the Judicial Circuits, which was agreed to.

Mr. Reese, of the Twenty-ninth District, offered the following substitute for the report of the minority :

Be it ordained by the people of Georgia in Convention assembled, That the General Assembly, at its first session under this Constitution, prepared by this Convention, shall re-distribute the Judicial Circuits of this State, so as to equalize the labors of the Judges of the Superior Courts, and reduce the same, so far as is consistent with the interests of the people of the State.

Mr. Bass, of the Forty-second District, introduced the following substitute for the report of the Committee :

There shall be sixteen Judicial Circuits in this State, and the General Assembly shall, at its first session after the adoption of this Constitution, organize said districts to be composed of contiguous counties, with due regard to the amount of judicial labor in each circuit.

Mr. Mobley moved the previous question upon the adoption of Mr. Bass' substitute, which was seconded.

The yeas and nays were called for, which was sustained, and resulted as follows :

Those voting in the affirmative were Messrs. :

Awbrey,
Barrett,
Bass,
Brown,
Burnett,
Bryan,
Boyd,
Bush,
Camp,
Clark,
Davis of the 23d,
Day,
Denton,
Dickey,
Flewellen,
Field,
Fontaine,
Gartrell,
Guerry,
Garren,
Glover,
Graham,
Gorman,
Gibbs,
Goff,
Greer of the 21st,
Hamilton of the 21st,
Hamilton of the 42d,
Harrell,
Hawkins,
Hand,
Hardy,
Head,
Hewell,
Henry,
Hicks,
Holcombe,

Jackson,
Johnson of the 18th,
Johnson of the 42d,
Key,
Knight,
Lowe,
Logino,
McIntosh,
McFarland,
McLeod,
Moblely,
Mosely,
Osborne,
Paris,
Phillips of the 18th,
Phillips of the 36th,
Ponder,
Render,
Rosser,
Roberts,
Sale,
Scott of the 30th,
Stokes,
Spence of the 5th,
Shepherd,
Swanson,
Stevens of the 40th,
Tye,
Tuggle,
Tumlin,
Tharpe,
Underwood of the 31st
Underwood of the 32d
Wimberly,
Williams,
Wilson,
Willis,

Hollifield,
Hudson of the 25th,

Wright.
Wofford.

Those voting in the negative were Messrs.—

Anderson,
Bachlott,
Barrow,
Braddy,
Bristow,
Cain,
Carter,
Collier,
Clifton,
Chambers,
Coney,
Coats,
Cooper,
Crane,
Creech,
Davis of the 10th,
Dell,
Dismuke,
DuBose,
Edge,
Ellington,
Fain,
Featherston,
Furman,
Furlow,
Gay,
Guerard,
Gignilliatt,
Grace,
Greer of the 13th,
Hammond of the 22d,
Hammond of the 35th
Heard,
Heath,

Matthews,
Mattox,
McCallum,
McRea,
Mercier,
Mershon,
Moore,
Mynatt,
Nisbet,
Newell,
Pace,
Pierce,
Perry,
Porter,
Reese of the 28th,
Reese of the 29th,
Respass,
Rogers,
Robertson,
Ross,
Russell of the 1st,
Russell of the 8th,
Sapp,
Sanders,
Sanford,
Seward,
Simmons,
Sibley,
Scott of the 13th,
Spence of the 35th,
Swearingen,
Screven,
Smith,
Stevens of the 6th,

Hill,
 Howell,
 Hunt,
 Hudson of the 29th,
 Ingram,
 Jones,
 Johnson of the 19th,
 Johnson of the 30th,
 Lawton,
 Lawson.
 Lofton,
 Little,
 Lewis,
 May,

Toombs,
 Trammell,
 Tift,
 Twitty,
 Thompson,
 Warren of the 23d,
 Wallace,
 Warthen,
 Wellborn,
 Westmoreland,
 Wells,
 Whiddon,
 Winn, R. D.
 Winn, L. J.

Yeas, 78.

Nays, 96.

So the substitute of Mr. Bass was not agreed to.

Mr. Reese of the Twenty-eighth District, moved to lay the reports of the committees, and all amendments, on the table.

The yeas and nays were called for, which was sustained, and resulted as follows :

Those voting in the affirmative are Messrs. —

Anderson,
 Bachlott,
 Braddy,
 Bristow,
 Carter,
 Clifton,
 Coats,
 Crane,
 Creech,
 Davis of the 10th,

McRea,
 Mershon,
 Moore,
 Mynatt,
 Nisbet,
 Newell,
 Pace,
 Pierce,
 Perry,
 Phillips of the 18th,

Dell,	Porter,
Dismuke,	Reese of the 28th,
DuBose,	Reese of the 29th,
Edge,	Rogers,
Fain,	Ross,
Featherston,	Russell of the 1st,
Furman,	Russell of the 8th,
Guerard,	Sapp,
Gignilliatt,	Sanders,
Grace,	Sanford,
Hammond of the 22d,	Seward,
Hammond of the 35th,	Simmons,
Hardy,	Sibley,
Heard,	Spence of the 35th,
Heath,	Screven,
Hill,	Smith,
Howell,	Stevens of the 6th,
Hunt,	Toombs,
Hudson of the 29th,	Tift,
Jones,	Twitty,
Johnson of the 18th,	Thompson,
Johnson of the 19th,	Warren of the 23d,
Johnson of the 30th,	Wallace,
Lawton,	Warthen,
Lawson,	Wellborn,
Lofton,	Westmoreland,
Lewis,	Whidden,
May,	Wright,
Matthews,	Winn, R. D.
Mattox,	Winn, L. J.
McCallum,	Wofford.

Those voting in the negative were, Messrs.—

Awbrey,	Ingram,
Barrett,	Jackson,
Barrow,	Johnson of the 42d,

Bass,	Key,
Brown,	Knight,
Burnett,	Little,
Bryan,	Lowe,
Boyd,	Logino,
Bush,	McIntosh,
Camp,	McFarland,
Collier,	McLeod,
Clark,	Mercier,
Chambers,	Mobley,
Coney,	Mosely,
Cooper,	Osborne,
Davis of the 23d,	Paris,
Day,	Phillips of the 36th,
Denton,	Ponder,
Dickey,	Render,
Ellington,	Respass,
Flewellen,	Rosser,
Field,	Roberts,
Fontaine,	Robertson,
Furlow,	Rowe,
Gartrell,	Sale,
Garren,	Scott of the 13th,
Gay,	Scott of the 30th,
Glover,	Stokes,
Graham,	Spence of the 5th,
Gorman,	Shepherd,
Gibbs,	Swanson,
Goff,	Swearingen,
Greer of the 13th,	Stevens of the 40th,
Greer of the 21st,	Trammell,
Hamilton of the 21st,	Tye,
Hamilton of the 42d,	Tuggle,
Harrell,	Tumlin,
Hawkins,	Tharpe,
Hand,	Underwood of the 31st,

Head,
Hewell,
Henry,
Hicks,
Holcombe,
Hollifield,
Hudson of the 25th,

Underwood of the 32d,
Wells,
Wimberly.
Williams,
Wilson,
Willis.

Yeas 82.

Nays 91.

So the motion to lay on the table did not prevail.

The question then recurred on the substitute of Mr. Reese of the Twenty-ninth District.

The yeas and nays were called, and the call was sustained as follows :

Those voting in the affirmative were Messrs.—

Anderson,
Bachlott,
Barrow,
Brannen,
Braddy,
Bristow,
Carter,
Collier,
Clifton,
Chambers,
Coates,
Crane,
Creech,
Davis of the 10th,
Dell,
Dismuke,

Matthews,
Mattox,
McCallum,
McRea,
Mershon,
Moore,
Mynatt,
Nisbet,
Newell,
Pace,
Pierce,
Perry,
Porter,
Reese of the 28th,
Reese of the 29th,
Respass,

DuBose,	Rogers,
Edge,	Ross,
Fain,	Russell of the 1st,
Featherston,	Russell of the 8th,
Furman,	Sapp,
Guerard,	Sanders,
Gignilliatt,	Simmons,
Hammond of the 22d,	Sibley,
Hammond of the 35th,	Spence of the 35th,
Heard,	Swearingen,
Heath,	Screven,
Hill,	Smith,
Howell,	Toombs,
Hunt,	Tift,
Hudson of the 29th,	Twitty,
Jones,	Warren of the 23d,
Johnson of the 19th,	Wallace,
Johnson of the 30th,	Warthen,
Lawton,	Wellborn,
Lawson,	Westmoreland,
Lofton,	Winn, R. D.,
Lewis,	Winn, L. J.
May,	

Those voting in the negative are Messrs.—

Awbrey,	Johnson of the 42d,
Barrett,	Key,
Bass,	Knight,
Brown,	Little,
Burnett,	Lowe,
Bryan,	Logino,
Boyd,	McIntosh,
Bush,	McFarland,
Cain,	McLeod,
Camp,	Mercier,
Clark,	Mobley,

Coney,
Cooper,
Davis of the 23d,
Day,
Denton,
Dickey,
Ellington,
Flewellen,
Field,
Fontaine,
Furlow,
Gartrell,
Garren,
Gay,
Glover,
Graham,
Gorman,
Gibbs,
Grace,
Goff,
Greer of the 13th,
Greer of the 21st,
Hamilton of the 21st,
Hamilton of the 42d,
Harrell,
Hawkins,
Hand,
Hardy,
Head,
Hewell,
Henry,
Hicks,
Holcombe,
Hollifield,
Hudson of the 25th,
Ingram,

Mosely,
Osborne,
Paris,
Phillips of the 18th,
Phillips of the 36th,
Ponder,
Render,
Rosser,
Roberts,
Robertson,
Rowe,
Sale,
Sanford,
Seward,
Scott of the 13th,
Scott of the 30th,
Stokes,
Spence of the 5th,
Shepherd,
Swanson,
Stevens of the 6th,
Stevens of the 40th,
Trammell,
Tye,
Thompson,
Tuggle,
Tumlin,
Tharpe,
Underwood of the 31st,
Underwood of the 32d,
Wells,
Wimberly,
Williams,
Wilson,
Willis,
Wright,

Jackson,
Johnson of the 18th,

Wofford.

Yeas, 77.

Nays, 97.

So the substitute of Mr. Reese of Twenty ninth district was rejected.

Mr. Ingram of the 24th district offered the following as a substitute for the entire report:

There shall be sixteen Judicial Circuits in this State, and it shall be the duty of the General Assembly, to organize and apportion the same in such manner as to equalize the business and labor of the Judges, in said several circuits, so far as may be practicable. But the General Assembly shall have power hereafter, to reorganize, increase, or diminish the number of circuits, provided however that the circuits shall remain as now organized, till changed by law.

The foregoing substitute of Mr. Ingram was adopted in lieu of majority and minority reports on reduction of judicial circuits.

Mr. Mobley made a motion that the substitute of Mr. Ingram just adopted, be made a part of the Constitution, and shall take a place in the Judiciary Department.

Mr. Hammond, of the Thirty-fifth district, moved to lay upon the table the motion of Mr. Mobley.

The yeas and nays were called and ordered, and resulted as follows:

Those voting in the affirmative were Messrs.—

Anderson,

Johnson of the 42d,

Bachlott,
 Barrow,
 Braanen,
 Braddy,
 Bristow,
 Burnett,
 Cain,
 Carter,
 Collier,
 Clifton,
 Chambers,
 Chancy,
 Coats,
 Cooper,
 Crane,
 Creech,
 Davis of the 10th,
 Dell,
 Denton,
 Dickey,
 Dismuke,
 DuBose,
 Edge,
 Ellington,
 Fain,
 Featherston,
 Flewellen,
 Field,
 Furman,
 Gueriy,
 Gay,
 Guerard,
 Grace,
 Goff,
 Greer of the 13th,
 Harrell,
 Hammond of the 22d,
 Hammond of the 35th,
 Hand,

Lawton,
 Lawson,
 Lofton,
 Lewis,
 May,
 Mathews,
 Mattox,
 McCallum,
 McRea,
 Mershon,
 Moore,
 Mynatt,
 Nisbet,
 Newell,
 Pace,
 Pierce,
 Perry,
 Porter,
 Reese of the 28th,
 Reese of the 29th,
 Robertson,
 Ross,
 Russell of the 1st,
 Russell of the 8th,
 Sale,
 Sapp,
 Sanders,
 Sanford,
 Seward,
 Simmons,
 Sibley,
 Spence of the 35th,
 Screven,
 Smith,
 Stevens of the 6th,
 Toombs,
 Trammell,
 Twitty,
 Thompson,

Head,
Heard,
Heath,
Hill,
Howell,
Hunt,
Hudson of the 25th,
Hudson of the 29th,
Jones,
Johnson of the 18th,
Johnson of the 19th,
Johnson of the 30th,

Tumlin,
Warren of the 23d,
Wallace,
Warthen,
Wellborn,
Whiddon,
Williams,
Wright,
Winn, R. D.,
Winn, L. J.,
Wofford.

Those voting in the negative were Messrs.—

Awbrey,
Barrett,
Bass,
Brown,
Bryan,
Boyd,
Bush,
Camp,
Clark,
Coney,
Davis of the 23d,
Day,
Denton,
Fontaine,
Furlow,
Gartrell,
Garren,
Glover
Gignilliatt,
Graham,
Gorman,
Gibbs,
Greer of the 21st,
Hamilton of the 21st,

Little,
Lowe,
Logino,
McIntosh,
McFarland,
McLeod,
Mercier,
Mobley,
Mosely,
Osborne,
Paris,
Phillips of the 36th,
Ponder,
Respass,
Rosser,
Roberts,
Rowe,
Scott of the 13th,
Scott of the 30th,
Stokes,
Spence of the 5th,
Shepherd,
Swanson,
Swearingen,

Hamilton of the 42d,
Hawkins,
Hardy,
Hewell,
Henry,
Hicks,
Holcombe,
Hollifield,
Ingram,
Jackson,
Key,
Knight,

Stevens of the 40th,
Tye,
Tuggle,
Tharpe,
Underwood of the 31st
Underwood of the 32d
Westmoreland,
Wells,
Wimberly,
Wilson,
Willis.

Yeas, 102.

Nays, 70.

So the motion to lay on the table prevailed.

Mr. Toombs, Chairman of the Committee of Final Revision, submitted the following report :

Your committee have had under consideration the report upon Public Institutions, and beg leave to report that in their opinion the subjects therein contained should not be fixed by the organic law, but the same be proper subjects for legislation by the General Assembly.

Upon motion, the report of the committee was adopted.

Mr. Wofford offered the following additional article :

The convicted criminals of this State shall never be leased or farmed out to public bidders ; and the next General Assembly shall provide a law, for one or more permanent penitentiaries, and for such employment and classification of the convicts as will come least in conflict with the free laborers of the State, and tend to the greatest reformation of the criminals. Addition not entertained.

Mr. Wofford moved to take up the original report of the Committee on Public Institutions, or so much of which as referred to the penitentiary.

The motion was lost.

Mr. Toombs, Chairman of the Committee of Final Revision, moved to take up the supplementary article on insurance, which was agreed to.

Par. 1. All fire insurance companies which may desire to establish agencies and do business in the State of Georgia, chartered by other States of the Union, or foreign States, shall show that they have deposited with the Comptroller General of the State in which they are chartered, the Insurance Commissioner, or such other officer as may be authorized to receive it, not less than one hundred thousand dollars in such securities as may be deemed by such officer equivalent to cash, subject to his order, as a guaranty fund for the security of policy holders.

Mr. Wells moved to insert : which are doing business in this State, for " which may desire, " etc., which was agreed to.

Mr. Grace moved to add the following : the amount of each policy and the premiums paid thereon.

On motion of Mr. Brown, the amendment of Mr. Grace was laid on the table.

Paragraph 1. (continued,) When such showing is made to the Comptroller of the State of Georgia by a proper certificate from the State official having charge of the fund so deposited, the Comptroller General of the State of Georgia is authorized to issue to the company, making such showing, a license to do business in the State.

Messrs. Lawton and Reese offered amendments to the first paragraph, which were received.

The paragraph was then adopted as amended.

Paragraph 2. All life insurance companies chartered by the State of Georgia, or which may hereafter be chartered by the State, shall, before doing business, deposit with the Comptroller General one hundred thousand dollars in such securities as may be deemed by him equivalent to cash, to be subject to his order as a guaranty fund for the security of the policy holders of the company, making such deposits ; all interest and dividends arising from such securities to be paid, when due, to the company so depositing. Any such securities as may be needed or desired by the company, may be taken from said department at any time by replacing them with other securities equally acceptable to the Comptroller General, whose certificate for the same shall be furnished to the company ; which, upon motion, was adopted.

Paragraph 3. The General Assembly shall, from time to time, enact laws to compel all fire insurance companies doing business in this State, whether chartered by this State, or otherwise, to deposit reasonable securities with the Treasurer of this State, to secure the people against loss by the operations of said company.

The foregoing was adopted without amendment.

Paragraph 4. The General Assembly shall compel all corporations in this State, or doing business therein, under proper penalties, to make semi-annual reports to the Governor, and print the same at their own expense for the information and protection of the people.

Mr. Lawton moved to strike out "corporations," and

insert: insurance companies, which was agreed to, and the paragraph was adopted as amended.

Paragraph 5. The general Assembly shall elect a Commissioner of Insurance, with an adequate salary to be paid by the insurance companies, and with ample powers to protect the people against fraud and imposition.

M. Hill moved to amend by striking out "by the insurance companies," and insert: out of the taxes out of such companies.

The amendment was received.

Mr. Brown moved to strike out the entire paragraph.

The motion prevailed.

The report, as amended, was adopted by the Convention.

Messrs. McDonald, Conley and Hall were granted leave of absence for the remainder of the session.

Mr. Brown, of Cherokee, offered the following ordinance:

Be it ordained by the people of Georgia, in Convention assembled, and it is hereby ordained by authority of the same, that should the homestead and exemption provision of the Constitution of 1868 be adopted in lieu of the homestead and exemption provided by this Constitution, by a majority of the qualified voters of this State, at the election to be held for the purpose of determining that question, then the debtor shall have the right to waive or renounce, in writing, his right to the benefit of said homestead and exemption, in the same manner and with the same exemptions as are prescribed in the homestead and exemption prescribed by this Constitution.

Mr. Toombs moved to table the foregoing ordinance.

The yeas and nays were called, and the call sustained, and resulted as follows :

Those voting in the affirmative were Messrs.—

Awbrey,	Lofton,
Bachlott,	Little,
Bass,	Matthews,
Bristow,	Mattox,
Chambers,	Mercier,
Coney,	Nisbet,
Cooper,	Newell,
Davis of the 10th,	Phillips of the 36th,
Dell,	Ponder,
Dickey,	Reese of the 28th,
Dismuke,	Reese of the 29th,
Edge,	Render,
Ellington,	Rosser,
Featherston,	Russell of the 1st,
Flewellen,	Sanders,
Fontaine,	Sanford,
Furman,	Seward,
Furlow,	Sibley,
Gay,	Scott of the 30th,
Gibbs,	Spence of the 35th,
Grace,	Swanson,
Greer of the 13th,	Screven,
Hamilton of the 42d,	Smith,
Harrell,	Toombs,
Hawkins,	Tift,
Hammond of the 22d,	Twitty,
Hand,	Thompson,
Hardy,	Tuggle,
Heard,	Warren of the 23d,
Hunt,	Wallace,
Jones,	Westmoreland,
Johnson of the 19th,	Wells,

Johnson of the 30th,
Key,
Knight,
Lawton,

Whiddon,
Wright,
Winn, R. D.

Those voting in the negative were Messrs.—

Barrett,
Barrow,
Brannen,
Braddy,
Brown,
Burnett,
Bryan,
Boyd,
Bush,
Cain,
Camp,
Carter,
Collier,
Clifton,
Clark,
Crane,
Davis of the 23d,
Day,
Denton,
DuBose,
Fain,
Field,
Gartrell,
Garren,
Glover,
Guerard,
Gignilliatt,
Graham,
Gorman,
Goff,

Lowe,
Logino,
May,
McCallum,
McIntosh,
McFarland,
McLeod,
McRea,
Mershon,
Mobley,
Mosely,
Mynatt,
Osborne,
Pace,
Paris,
Pierce,
Perry,
Phillips of the 18th,
Porter,
Roberts,
Robertson,
Ross,
Rowe,
Sale,
Scott of the 13th,
Stokes,
Spence of the 5th,
Stroud,
Shepherd,
Swearingen,

Hamilton of the 21st,
Hammond of the 35th,
Head,
Hewell,
Henry,
Heath,
Hicks,
Hill,
Howell,
Hollifield,
Hudson of the 25th,
Jackson,
Johnson of the 18th,
Johnson of the 42d,
Lawson,

Stevens of the 40th,
Trammell,
Tye,
Tumlin,
Tharpe,
Underwood of the 31st,
Underwood of the 32d,
Warthen,
Wellborn,
Wimberly,
Williams,
Wilson,
Willis,
Winn, L. J.
Wofford.

Yeas 71.

Nays 90.

So the motion to lay on the table did not prevail.

Mr. Brown moved the previous question, and the call was seconded.

Mr. Tumlin called for the yeas and nays, and the call sustained, and resulted as follows :

{ Those voting in the affirmative were, Messrs.—

Barrett,
Barrow,
Braddy,
Brown,
Burnett,
Bryan,
Boyd,
Bush,

Lawson,
Lowe,
Logino,
May,
McCallum,
McIntosh,
McRea,
Mershon,

Cain,	Mobley,
Camp,	Mosely,
Carter,	Mynatt,
Collier,	Osborne,
Clifton,	Pace,
Clark,	Paris,
Crane,	Phillips of the 18th,
Day,	Porter,
Denton,	Rosser,
DuBose,	Roberts,
Fain,	Robertson,
Field,	Ross,
Gartrell,	Rowe,
Garren,	Sale,
Glover,	Sap,
Guerard,	Stokes,
Gignilliatt,	Spence of the 5th,
Graham,	Shepherd,
Gorman,	Stevens of the 40th,
Goff,	Tye,
Hammond of the 35th,	Tumlin,
Head,	Underwood of the 31st
Hewell,	Underwood of the 32d,
Henry,	Warthen,
Hill,	Wellborn,
Howell,	Wimberly,
Hollifield,	Williams,
Hudson of the 25th,	Wilson,
Johnson of the 18th,	Winn, L. J.
Johnson of the 42d,	Wofford.

Those voting in the negative were Messrs.—

Awbrey,	Lawton,
Bachlott,	Lofton,
Bass,	Little,
Bristow,	Matthews,

Chambers,	Mattox,
Coney,	McFarland,
Coats,	McLeod,
Cooper,	Mercier,
Creech,	Nisbet,
Davis of the 23d,	Newell,
Day,	Pierce,
Dell,	Perry,
Dickey,	Phillips of the 36th,
Dismuke,	Ponder,
Edge,	Reese of the 28th,
Ellington,	Reese of the 29th,
Featherston,	Render,
Flewellen,	Rogers,
Fontaine,	Russell of the 1st,
Furman,	Sanders,
Furlow,	Sanford,
Gay,	Seward,
Gibbs,	Sibley,
Grace,	Scott of the 23th,
Greer of the 13th,	Spence of the 35th,
Hamilton of the 21st,	Swanson,
Hamilton of the 42d,	Swearingen,
Harrell,	Screven,
Hawkins,	Smith,
Hammond of the 22d,	Toombs,
Hand,	Trammell,
Hardy,	Tift,
Heard,	Thompson,
Heath,	Tuggle,
Hicks,	Tharpe,
Hunt,	Warren of the 23d,
Hudson of the 29th,	Wallace,
Jackson,	Westmoreland,
Jones,	Wells,
Johnson of the 19th,	Whiddon,

Johnson of the 30th,
Key,
Knight,

Wright.
Winn, R. D.

Yeas 76.

Nays 84.

So the ordinance of Mr. Brown was rejected.

The hour of adjournment having arrived, the President declared the Convention adjourned until half-past three o'clock this afternoon.

AFTERNOON SESSION.

THREE AND A HALF O'CLOCK.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Mr. Hammond, of the Twenty-second District, offered the following resolution, which, by permission of the Convention, he afterwards withdrew:

Resolved, That the Committee of Twenty-six report the Constitution as far as it has been revised by the Committee on Style, and the resolution ordering the same to be printed for the use of the Convention, be so modified as to refer to such parts as may be adopted by the Convention after being read.

Mr. Toombs moved the adoption of the following resolution:

Resolved, That the chairman of this Committee do recommend to the Convention to amend section sixth, paragraph second, Article Taxation and Finance, by adding thereto, in seventh line, after the word "jurors," in said line the fol-

lowing words : Coroner's litigation, quarantine and roads, which was agreed to.

Mr. Holcombe, of the Thirty-ninth, offered the following :

WHEREAS, it is necessary that the people of this State shall have every facility for informing themselves in regard to the provisions of the Constitution to be submitted to them for ratification,

Resolved, That the Governor shall subscribe for and distribute, for the use of every officer in this State, the members of the Constitutional Convention, and the members of the Legislature, a copy of the authenticated, indexed edition of the Constitution and Ordinances, which the Secretary has been authorized to publish, and to pay for the same fifty cents per copy out of the contingent fund.

The resolution, upon motion of Mr. Holcombe, was adopted.

Mr. Edge offered the following resolution, which was not agreed to.

Resolved, That this Convention adjourn *sine die* on Saturday, the 25th day of August, 1877.

Mr. Holcombe offered the following resolution :

Resolved, That the porters at the water closets, Isaac Hill and George Perkins, and the pages and the porters on this floor, receive, each, one dollar and fifty cents per day for their services.

The yeas and nays were called for, and the call was sustained.

Those voting in the affirmative are Messrs.—

Barrett,	Key,
Barrow,	Lawton,
Braddy,	Lawson,
Brown,	Lewis,
Bryan,	May,
Boyd,	McCallum,
Cain,	McLeod,
Camp,	Mershon,
Collier,	Mobley,
Clark,	Mosely,
Coney,	Mynatt,
Cooper,	Newell,
Crane,	Pace,
Creech,	Pierce,
Day,	Perry,
Dell,	Phillips of the 18th,
Dickey,	Reese of the 28th,
Dismuke,	Rosser,
DuBose,	Rogers,
Edge,	Robertson,
Ellington,	Ross,
Featherston,	Russell of the 1st,
Fontaine,	Sale,
Furman,	Sapp,
Furlow,	Sanders,
Gartrell,	Seward,
Guerry,	Simmons,
Gay,	Stokes,
Glover,	Spence of the 35th,
Gignilliatt,	Smith,
Grace,	Stevens of the 6th,
Goff,	Tye,
Greer of the 13th,	Thompson,
Hawkins,	Tumlin,
Head,	Westmoreland,
Hewell,	Wells,
Heath,	Whiddon,

Hicks,
Howell,
Holcombe,
Hollifield,
Hudson of the 25th,
Ingram,
Jones,
Johnson of the 18th,

Wimberly,
Wilson,
Willis,
Wright,
Winn, R. D.
Winn, L. J.
Wofford.

Those voting in the negative were Messrs.—

Awbrey,
Bachlott,
Brannen,
Bass,
Bristow,
Burnett,
Bush,
Clifton,
Coats,
Davis of the 10th,
Davis of the 23d,
Denton,
Field,
Guerard,
Greer of the 21st,
Hamilton of the 42d,
Harrell,
Hansell,
Hammond of the 22d,
Hand,
Heard,
Henry,
Horne,
Hunt,
Hudson of the 29th,
Johnson of the 19th,
Johnson of the 30th,
Johnson of the 42d,

McIntosh,
McRea,
Mercier,
Moore,
Nisbet,
Osborne,
Paris,
Phillips of the 36th,
Porter,
Ponder,
Reese of the 29th,
Render,
Roberts,
Sanford,
Sibley,
Scott of the 13th,
Scott of the 30th,
Spence of the 5th,
Swanson,
Swearingen,
Screven,
Stevens of the 40 h,
Toombs,
Trammell,
Tift,
Tuggle,
Tharpe,
Underwood of the 32d

Knight,
Lowe,
Logino,
Mattox,

Warren of the 23d,
Wallace,
Williams.

Yeas, 89.

Nays, 63.

So the resolution was agreed to.

Mr. Burnett, chairman of the Committee to Memorialize Congress in reference to the Cotton Tax, reports herewith a memorial on said subject, and recommends the adoption of the following resolution :

Resolved by the Convention, That our Senators and Representatives in the Congress of the United States be requested to present the accompanying memorial, and urge, to the extent of their power, a compliance with the same.

To the Honorable Senate and House of Representatives of the United States, in Congress Assembled :

Your memorialists, being the delegates of the sovereign people of Georgia, in convention assembled, in the city of Atlanta, in said State, would respectfully represent to your honorable body that in the years 1865, 1866, 1867, and 1868, through the process of the internal revenue tax on raw cotton, there was collected from the people of said State, as is shown by the records and vouchers of file in the proper department, the sum of twelve million of dollars.

Your memorialists further represent that the said tax so collected, was illegally unjust and oppressive, and was gathered from a people illy able to bear the burdens. This tax was the product of the labor of the citizens of the State, and ought in justice and right to be refunded to them and

their representatives, that this tax was paid immediately by the farmers and land holders in said State. That, by common custom existing in said State, the laborers and actual tillers of the land in said State were during said years, receiving for their said labor the one-third part of the products of the land which during said years were cultivated, and which produced the said cotton so taxed, and that the said laborers and tillers of said land were justly entitled for their labor to one-third of the tax so paid on said cotton by the farmers and land-holders.

Your memorialists further show that by the records kept on file as before mentioned, the farmers and land-holders who find our taxes respectively and the amount of said taxes paid, can to a very considerable extent be ascertained and determined, but that the money and pro rata share, which ought to be divided out among his laborers, cannot be ascertained and determined in any manner, which would approximate a true and just pro rata division among said laborers. Your memorialists further show that to a very large extent the said laborers who produced said cotton were colored persons in the employ of the farmers and land holders, that they are very poor, depending upon their daily labor for the means of subsistence, and without the means of proper maintenance of their families, and the education of their children, and able to contribute but little to the necessary demands of the State Government, and to the cause of education. And in consequence of the large number needing such advantages, the State of Georgia is unable to provide means of furnishing such educational advantages as her people would like to do. Wherefore, inasmuch as the amount of twelve millions were unjustly and illegally collected from them on said cotton, and ought in justice and equity to be returned to them by the Government of the United States, your memorialists respectfully request and urge your honorable body, by a fit and proper appropriation either in the bonds of the United States, in legal ten-

der notes, or in lands the value of said amount, to return said taxes so collected to them, and your memorialists would further urge and request said amount to be paid in the following manner, and the following conditions.

That the same be transferred by appropriation, as aforesaid, to the Treasurer of the State of Georgia.

That one-third of said amount, to-wit: four millions of dollars, be set aside as a perpetual school fund for the education of the children of the colored people of the State, under suitable rules and regulations, to be prescribed by the General Assembly, for the sole and exclusive use of the education of said colored children, and the remainder to be returned to the original parties who paid said tax, or devoted to the education of the white children of said State, as the said General Assembly may decide, and that said appropriation be made on the following condition: That the State of Georgia will indemnify and prevent any loss to the Government of the United States for any payment of such tax so collected, that she may be required to make any citizen of this State. Believing that such an arrangement would be proper (knowing that the claim is just), the delegates of the people, in Convention assembled, rely, with confidence, on your sense of justice to see returned to the citizens of this State that which was so unjustly taken and so long withheld.

Mr. Brown offered the following amendment, which was accepted by the chairman of the Committee:

And the remaining two-thirds shall be set apart as a perpetual school fund for the white people of this State, and shall be used for the education of the white children of said State, and for no other purpose.

Mr. Ponder moved to lay the memorial on the table.

The yeas and nays were called for and the call sustained.

Before the President ordered the Secretary to proceed with the roll, a motion was made to adjourn, which prevailed, and the President declared the Convention adjourned until to-morrow morning, at eight and a half o'clock.

ATLANTA, GEORGIA,

FRIDAY, August 24, 1877.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Prayer was offered by the Rev. Mr. Hamilton, of the Forty-second District.

Messrs. Harrell, Wofford, and Tuggle gave notice that they would move to reconsider certain portions of the Journal.

Mr. Edge, of the Twenty-first District, offered the following resolution, which was agreed to :

Resolved, That this Convention adjourn *sine die* on Saturday, the 25th of August, 1877.

Mr. Harrell moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention on the subject of reducing the number of the Judicial Circuits.

Mr. Little moved to lay on the table the motion of Mr. Harrell to reconsider, which motion prevailed.

Mr. Wofford, of the Forty-second District, moved to re-

consider so much of the Journal of yesterday as relates to the action of the Convention in refusing to consider and take Constitutional action upon the report of the Committee on Public Institutions.

Mr. Reese, of the Twenty-ninth District, moved to lay on the table the motion of Mr. Wofford to reconsider, which motion prevailed.

Mr. Tuggle moved to reconsider so much of the Journal of yesterday as refers to the action of the Convention in adopting the resolution offered by Mr. Holcombe, authorizing the Governor to subscribe for and distribute copies of the Constitution to the public officers in Georgia.

The motion to reconsider prevailed.

Mr. Barrow moved the adoption of the following resolution :

Mr. Barrow moved to amend section three, paragraph one, of the report of the Committee on the Legislative Department, by striking out the county of "Macon," and inserting the county of: Clarke, in lieu thereof.

Upon motion of Mr. Ellington, the motion of Mr. Barrow was laid on the table.

Mr. Hammond, of the Thirty-fifth District, offered the following resolution :

Resolved, That upon the adjournment of this Convention the original Constitution, ordinances, and other papers of the Convention, be deposited in the office of the Secretary of State, which was agreed to.

Mr. Spence, of the Thirty-fifth District, offered the following resolution :

Resolved, That the Governor of this State be required to purchase for distribution (50,000) fifty thousand copies of the Constitution to be paid for out of the contingent fund, provided that not more than one thousand dollars be paid for the same. That he shall transmit to each member of the Convention five copies ; to each member of the present General Assembly, one copy each ; and to each of the Ordinaries of the several counties of the State fifty copies for distribution among the civil officers, the remainder to be distributed as may be deemed proper.

Mr. Hammond, of the Thirty-fifth District, offered the following as an amendment to the resolution of Mr. Spence

Resolved, That the Public Printer be instructed to furnish each member of this Convention, the Judges of the Supreme and Superior Courts, the Clerks of the Superior Courts, Ordinaries, and Notaries Public, ex-Officio Justices of the Peace, with a pamphlet copy of the Constitution and Ordinances adopted by this Convention.

Mr. Toombs moved to lay the resolution and amendment upon the table, which motion prevailed.

Leave of absence was granted to Messrs. Heath and Davis, of the Tenth District.

Mr. Wofford, chairman of the committee on Payment of Public Debt, submitted the following report, which, after being read, was laid on the table :

The committee on the Payment of the Public Debt beg leave to submit the following resolutions as their report, and recommend their adoption by the Convention :

Resolved, 1st. That the property owned by the State

should be sacredly pledged for the payment of its existing debt, and to that end the Macon and Brunswick Railroad the North and South Railroad, the stock of the State in the Albany and Gulf Railroad, and in the Georgia Railroad and Banking company, and in the Southern and Atlantic Telegraph Company, and the personal property at the Milledgeville penitentiary, consisting of a steam engine, wire, cotton cards, etc., the Executive Mansion and State House at the place not selected as the capital of the State, should be sold as soon as practicable, and upon the best terms possible, and the proceeds thereof used in the payment of said debt, as it becomes due; that portion of the proceeds which must be kept on hand, to await the maturity of the debt, to be loaned or invested, as provided in the Constitution now being framed.

Resolved, 2d. That the Western and Atlantic Railroad, should also be sold upon the expiration of the present lease, and the proceeds, less such amount as may be reserved as a school fund, be disposed of in like manner.

Resolved, 3d. That the General Assembly of this State be requested, at its first session hereafter, to enact such law, or laws, as may be necessary to carry into effect the recommendation of the first resolution above, and that they provide for the sale of said property before it shall have further deteriorated in value.

Resolved, 4th. That in order to insure the sale of said property, the General Assembly is hereby recommended to employ an able commission for the purpose, which shall be invested with large discretion, both as to the price to be paid for said property, and the terms and manner of sale.

Resolved, 5th. That in the judgment of this committee the State should never issue bonds at a greater rate of in-

terest than six per centum, and that all bonds hereafter issued, should be redeemable at the option of the State after the expiration of five years.

W. T. WOFFORD, *Chairman*.

Mr. Brown moved to take up the memorial under consideration at the time of adjournment yesterday.

The President ordered the call of the yeas and nays.

Mr. Ponder, who originally made the call for the yeas and nays, withdrew it.

Mr. Brown offered the following as an amendment for the memorial:

And the remaining two-thirds shall be set apart as a perpetual school fund for the white people of this State, and shall be used for the education of the white children of said State, and for no other purpose.

Mr. Bass, of the Forty-second District, offered the following ordinance:

Be it ordained by the people of Georgia, in Convention assembled, That our Senators and Representatives in Congress be, and the same are hereby requested to use their influence to have the amount of the cotton tax, paid by the producers of cotton in Georgia, refunded to the State, and deposited in the State Treasury, to be paid to said producers, under such rules and regulations as may be provided by the General Assembly: *Provided*, that should there be a surplus remaining over, after paying all valid and legal claims, it shall constitute a fund, to be appropriated in such manner and for such purposes as the General Assembly may deem best for the interest of the State.

Mr. Edge moved to lay the memorial and the substitutes upon the table, which was not agreed to.

Mr. Hudson, of the Twenty-ninth District, moved to lay the memorial and amendments on the table, which motion prevailed.

Mr. Toombs, chairman of the committee of Final Revision, moved to take up and read, finally, the Constitution as now revised.

The motion was agreed to.

The Secretary of the Convention then proceeded to read the Constitution—commencing with the preamble—and making such corrections as the chairman of the Committee on Style, and other members of the Convention, might suggest in the matter of typographical errors, etc.

Leave of absence was granted to Messrs. Stevens and Knight, of the Sixth District, Donaldson, Phillips, of the Eighteenth, Spence, of the Fifth District, Hudson, of the Twenty-fifth District, McRae, and Gay.

The hour of adjournment having arrived, the President declared the Convention adjourned until half-past three o'clock this afternoon.

AFTERNOON SESSION.

THREE AND A HALF O'CLOCK.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Mr. Guerard offered the following resolution, which, upon suspension of rules, was taken up and agreed to :

Resolved, That, in order to equalize the per diem of clerks who have served this Convention, the Treasurer is hereby instructed to pay Jackson T. Taylor, clerk of the Committee of Final Revision, five dollars per day.

Mr. Scott, of the Thirteenth, called for yeas and nays, which was not sustained, and the resolution was agreed to.

Mr. Hudson, of the Twenty-ninth, offered the following resolution :

Resolved, That the Public Printer be instructed to furnish, immediately, each member of this Convention, and the Judges of the Supreme and Superior Courts, with a copy of the Constitution, and a sufficient number of copies to the ordinaries of the State for the officers of each county and the notaries public.

Mr. Matthews moved to amend with the following substitute :

Resolved, That the Committee on Printing contract with the Constitution Publishing Company for 50,000 copies, pamphlet form, of the Constitution and Ordinances of this Convention, at a cost not to exceed two (2) cents per copy, for distribution among the people ; which upon suggestion, was amended by : 250 copies, to be sent to each member of the Convention for distribution. It shall be the duty of the Secretary of State to transmit the copies of the Constitution to the members aforesaid.

Mr. Brown moved to amend by striking out " 50,000," and inserting, in lieu thereof : 10,000.

Mr. Hammond, of the Thirty-fifth District, moved to strike out " 2 " and insert : 4, in the substitute of Mr. Matthews.

Mr. Hudson, of the Twenty-ninth, moved to lay his own resolution, and the amendments thereto, upon the table, which was agreed to.

Mr. Mershon offered the following resolution :

Resolved, That the thanks of this Convention be, and are hereby tendered to our efficient and popular State Treasurer, Capt. Renfroe, for his kindness in disbursing free of charge the funds placed in his hands by General Toombs.

The unfinished business of the morning session, upon motion of Mr. Toombs was resumed, which was the final reading and correction of the printed copy of the Constitution furnished the Convention by the Public Printer this morning.

Mr. Hammond of the Thirty-fifth district moved to add to section three, article six, the following :

“The terms of Judges to be elected under this Constitution except to fill vacancies shall begin on the first of January after their elections. But if the time for the meeting of the General Assembly shall be changed, the General Assembly may change the time when the terms of Judges thereafter elected shall begin.

Upon motion of Mr. Hammond, of the Thirty-fifth district, the foregoing amendment was adopted.

Mr. Hammond, of the Thirty-fifth District, also moved to amend article six, section three, by adding the words “at the session of the General Assembly next preceding,” and strike out “upon” in the fifth line and insert the above in lieu thereof.

Which was agreed to.

Upon motion of Mr. Lawton, the hour of adjournment having arrived the session of the Convention was prolonged one hour.

Mr. Tumlin asked leave of absence for Mr. Head for the remainder of the session.

Which was granted.

Mr. Pace moved to amend section three, article eight, by adding thereto the following sentence :

“And the General Assembly may also from time to time make such appropriations of money, as the condition of the treasury will authorize, to any college or university, (not exceeding one in number) now established or hereafter to be established in this State for the education of persons of color.”

Being an additional paragraph containing subject matter not heretofore adopted by this Convention, the President put the question and receiving the requisite two-thirds vote was declared adopted.

Mr. Hammond, of the Thirty-fifth District, moved to amend section three, article nine, of the report of the Committee on Homestead and Exemptions, by striking out all from “except,” in the third line, to “where,” in the sixth line, including those words, and insert, in lieu thereof, the following : except wearing apparel, and not exceeding three hundred dollars worth of household and kitchen furniture, and provisions for one year, to be selected by himself and his wife, if any.

Which, upon being submitted to the Convention, was agreed to.

Mr. Hammond, of the Thirty-fifth, moved to amend

section five of article nine by striking out all after "as," in the third line, and inserting: is excepted, in section three of this article, so that it will read: The debtor shall have authority to waive or renounce, in writing, his right to the benefit of the exemption provided for in section four, except as is excepted in section three of this article.

Mr. Toombs demanded a vote on this amendment.

It appeared that there was no quorum voting.

Mr. Lawton proposed the names of Messrs. Tuggle, Barrow and Wellborn as a Committee of Enrollment, and the President so declared them.

Upon motion, the Convention was then adjourned until to-morrow morning at eight and a half o'clock.

ATLANTA, GEORGIA,

SATURDAY, August 25, 1877.

The Convention met pursuant to adjournment, President Jenkins in the chair.

Prayer was offered by the Rev. Mr. Edge, of the Twenty-first District.

Messrs. Trammell and Hammond, of the Thirty-fifth District, moved to reconsider certain portions of the Journal.

Mr. Trammell, in behalf of Mr. Hudson, moved to reconsider so much of the Journal as relates to the action of the Convention in rejecting the resolution of Mr. Hudson authorizing the printing and distribution of copies of the Constitution.

Mr. Hammond, of the Thirty-fifth District, moved to reconsider so much of the Journal as relates to the action of the Convention in adopting the amendment of Mr. Hammond, of the Thirty-fifth District, amending section three, article nine, of the article on homestead and exemption.

The motion to reconsider prevailed.

Mr. Hudson, of the Twenty-ninth, offered the following resolution :

Resolved, That the chairman of the Printing Committee contract with the Public Printer, or other person, to furnish ten thousand copies of the Constitution, provided that he will do so upon reasonable terms.

Mr. Matthews' substitute, offered yesterday afternoon, was reintroduced, and, upon motion of Mr. Hudson, laid on the table.

The resolution of Mr. Hudson was agreed to.

Mr. Hunt offered the following resolution :

Resolved, That the names of H. Greene, porter for the galleries, and George McKenny, Robert Webster and Anthony Grace, porters for the committees, be added to the resolution increasing pay of porters to one dollar and a half per day, that they also be paid the sum of one dollar and fifty cents per day for the session.

The resolution was not agreed to.

Mr. Simmons, chairman of Committee on Finance, reports the following ordinance :

The ordinance requiring the payment of the stationery used by the Convention during its session.

Be it ordained, etc., That the State Treasurer be authorized and required to pay to N. C. Barnett, Secretary of State, the sum of two hundred and twelve dollars and sixty cents for stationery used by this Convention during the session, which was adopted.

Mr. Hammond's amendment is as follows : by inserting "as to " between "except " and "wearing apparel," and striking out : for one year.

Mr. Nisbet moved the previous question on the adoption of the foregoing, which was seconded, and the amendment was agreed to.

Mr. Spence, of the Thirty-fifth District, offered the following resolution :

Resolved, That the thanks of this Convention are due, and are hereby tendered, to Samuel W. Small, Esq., stenographic reporter, for the very able, faithful and impartial manner in which he has reported the proceedings of this Convention; and also to the following gentlemen : Messrs. J. C. Jones, Macon Telegraph and Messenger ; S. W. Postell, Griffin News; Howard Williams, of the Columbus Times; P. A. Stovall, Augusta Chronicle and Constitutionalist, and Sidney Herbert, of the Savannah News, which resolution was agreed to.

Mr. Pierce moved that the Convention entertain no further resolution until the unfinished business of yesterday is concluded, which is the reading and correcting of the Constitution.

Agreed to.

Mr. Boyd proposes the following additional section, to come in between the two last sections on homestead and exemptions :

Nothing contained in the foregoing sections shall be so held and construed as to relieve the property of the claimant from liability to pay any judgment which may be recovered against such claimant for damages committed on the person or property of another.

Upon motion, the additional section was laid on the table

Upon motion, section nine of article nine was stricken out.

Mr. Featherston, of the Thirty-sixth District, offered the following amendment as an additional section :

Parties who have taken the homestead of realty under the Constitution of 1868, shall have the right to sell said homestead and reinvest the proceeds of the sale of the same, by order of the Judge of the Superior Courts of this State.

Upon motion it was adopted as section nine, article nine.

Mr. Hand proposed the following amendment to paragraph four, section one of article eleven :

Provided, That any county site not now within five miles in the center of the county may be so removed by a majority of the county, which upon motion was laid upon the table.

Mr. Hill proposed the following amendment to paragraph three, section one of article eleven :

Except to restore an original line, changed for personal convenience only, which was not agreed to.

“Any” inserted in lieu of “old,” in paragraph five, of section one, article eleven, upon motion, was agreed to.

Mr. Lawton moved the following to come in after paragraph three, article twelve :

The acts, and appropriation acts, passed at the session of the General Assembly of 1877, and approved by the Governor of the State, and not inconsistent with the Constitution, are hereby continued in force until altered by law, which was agreed to.

Mr. Simmons of the Twenty-second, offered the following, to come in after section fourteen of article seven :

All sums of money at any time in the Treasury belonging to the State, over and above the amount necessary to meet the appropriations made by law, shall be added to the sinking fund.

Upon motion, the foregoing was laid upon the table.

Mr. Featherston moved that the Convention do now adopt the Constitution, which was agreed to unanimously.

Mr. Nisbet offered the following resolution :

Resolved, That the ordinance submitting the capital and homestead questions to a vote of the people be published with this Constitution, which was agreed to.

Mr. Brown offered the following resolution :

Resolved by this Convention, That the chairman of the Committee on Printing be, and he is hereby, requested to

examine and audit the accounts of the Printer after the adjournment of the Convention, and that he receive his per diem pay for the time he may be engaged in said work, and the Treasurer is hereby authorized to pay the same when the account is audited ; which, upon motion of Mr. Brown, was adopted.

Mr. Hamilton, of the Forty-second District, offered the following resolution, which was adopted by a rising vote of the Convention :

Resolved, That the thanks of this Convention are due, and are hereby tendered, to the Hon. Charles J. Jenkins for the able, dignified, and impartial manner in which he has discharged his duties as President of this Convention.

Resolved, further, That the thanks of this Convention are due to the Secretary and Assistant Secretary, and Enrolling Clerk, and the other subordinate officers of the Convention, for the prompt, courteous, and efficient manner in which they have discharged their respective duties.

Mr. Trammell, of the Forty-third District, offered the following :

WHEREAS, By the overruling power of Almighty God, this Convention has been enabled to complete its work and reach the hour of adjournment free from visitations by death, or disaster of any kind ; therefore, be it

Resolved, That the Rev. B. F. Tharpe, delegate from the Twenty-third District, be requested to return thanks to Almighty God in behalf of the Convention.

Mr. Simmons, of the Twenty-second District, offered the following :

Resolved, That one hundred and fifty dollars, or so much

thereof as may be necessary, be appropriated to the Secretary of this Convention to pay the contingent expenses thereof, which was agreed to.

Mr. Hammond, of the Thirty-fifth District, moved the adoption of the following ordinance :

Be it ordained by the people of Georgia, in Convention assembled : 1. That the Constitution, as adopted and signed, be enrolled and signed by the officers and members of this Convention.

2. That the Governor shall issue his proclamation ordering an election for members of the General Assembly and a vote upon the ratification or rejection of this Constitution, as therein provided ; and a vote upon the Capital and Homestead questions, as provided by the ordinances of this Convention, which, upon motion of Mr. Hammond of the Thirty-fifth District, was agreed to.

The Committee on Enrollment made the following report :

MR. PRESIDENT : The Committee on Enrollment report as duly enrolled and ready for the signature of the President and Secretary of the Convention, the following ordinances, to-wit :

An ordinance in relation to submitting the question of the location of the capital of this State to the qualified voters thereof, etc.

Also, an ordinance to submit the Article adopted by this Convention, on the subject of Homestead and Exemptions, separately from the Constitution, to the qualified voters of the State and to authorize them to endorse on their ballots the words, “ Homestead of 1877,” or the words, “ Homestead of 1868,” and for other purposes.

Also, an ordinance in relation to the reduction of the Judicial Circuits of this State.

Also, an ordinance authorizing the President of this Convention to negotiate the loan of a sufficient sum of money, at seven per cent. per annum, to defray the residue of the expenses of the Convention not provided for by the act of the General Assembly calling this Convention, etc.

Also, an ordinance directing that the Constitution as adopted and revised, be enrolled and signed by the officers and members of this Convention, and for other purposes.

W. O. TUGGLE,

POPE BARROW,

C. J. WELLBORN.

Mr. Simmons of the Twenty-second District, offered the following resolution :

Resolved, That the President, Secretary, and members of the Convention, be allowed to sign the enrolled copy of the Constitution, after the Convention has adjourned, which was agreed to.

Mr. Reese, of the Twenty-ninth District, moved the Convention do now adjourn *sine die*, and the President declared the Convention thus adjourned.

CONSTITUTION

OF THE

STATE OF GEORGIA—1877.

CONSTITUTION.

BILL OF RIGHTS.

PREAMBLE.

To perpetuate the principles of free government, insure justice to all, preserve peace, promote the interest and happiness of the citizen, and transmit to posterity the enjoyment of liberty, we, the people of Georgia, relying upon the protection and guidance of Almighty God, do ordain and establish this Constitution :

ARTICLE I.

SECTION I.

Paragraph I. All government, of right, originates with the people, is founded upon their will only, and is instituted solely for the good of the whole. Public officers are the trustees and servants of the people, and, at all times, amenable to them.

Par. II. Protection to person and property is the paramount duty of government, and shall be impartial and complete.

Par. III. No person shall be deprived of life, liberty, or property, except by due process of law.

Par. IV. No person shall be deprived of the right to prosecute or defend his own cause in any of the courts of this State, in person, by attorney, or both.

Par. V. Every person charged with an offense against

the laws of this State shall have the privilege and benefit of counsel ; shall be furnished, on demand, with a copy of the accusation, and a list of the witnesses on whose testimony the charge against him is founded ; shall have compulsory process to obtain the testimony of his own witnesses ; shall be confronted with the witnesses testifying against him, and shall have a public and speedy trial by an impartial jury.

Par. VI. No person shall be compelled to give testimony tending in any manner to criminate himself.

Par. VII. Neither banishment beyond the limits of the State, nor whipping, as a punishment for crime, shall be allowed.

Par. VIII. No person shall be put in jeopardy of life, or liberty, more than once for the same offense, save on his, or her, own motion for a new trial after conviction, or in case of mistrial.

Par. IX. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted ; nor shall any person be abused in being arrested, while under arrest, or in prison.

Par. X. No person shall be compelled to pay costs, except after conviction on final trial.

Par. XI. The writ of HABEAS CORPUS shall not be suspended.

Par. XII. All men have the natural and inalienable right to worship God, each according to the dictates of his own conscience, and no human authority should, in any case, control or interfere with such right of conscience.

Par. XIII. No inhabitant of this State shall be molested

in person or property, or prohibited from holding any public office, or trust, on account of his religious opinions; but the right of liberty of conscience shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the State.

Par. XIV. No money shall ever be taken from the public Treasury, directly or indirectly, in aid of any church, sect, or denomination of religionists, or of any sectarian institution.

Par. XV. No law shall ever be passed to curtail, or restrain, the liberty of speech, or of the press; any person may speak, write, and publish his sentiments, on all subjects, being responsible for the abuse of that liberty.

Par. XVI. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue except upon probable cause, supported by oath, or affirmation, particularly describing the place, or places, to be searched, and the persons or things to be seized.

Par. XVII. There shall be within the State of Georgia neither slavery nor involuntary servitude, save as a punishment for crime after legal conviction thereof.

Par. XVIII. The social status of the citizen shall never be the subject of legislation.

Par. XIX. The civil authority shall be superior to the military, and no soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, except by the civil magistrate, in such manner as may be provided by law.

Par. XX. The power of the Courts to punish for contempt, shall be limited by legislative acts.

Par. XXI. There shall be no imprisonment for debt.

Par. XXII. The right of the people to keep and bear arms, shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne.

Par. XXIII. The legislative, judicial and executive powers shall forever remain separate and distinct, and no person discharging the duties of one, shall, at the same time, exercise the functions of either of the others, except as herein provided.

Par. XXIV. The people have the right to assemble peaceably for their common good and to apply to those vested with the powers of government, for redress of grievances, by petition or remonstrance.

Par. XXV. All citizens of the United States, resident in this State, are hereby declared citizens of this State ; and it shall be the duty of the General Assembly to enact such laws as will protect them in the full enjoyment of the rights, privileges and immunities due to such citizenship.

SECTION II.

Par. I. In all prosecutions or indictments for libel the truth may be given in evidence ; and the jury in all criminal cases, shall be the judges of the law and the facts. The power of the Judges to grant new trials in cases of conviction, is preserved.

Par. II. Treason against the State of Georgia, shall consist in levying war against her ; adhering to her enemies ; giving them aid and comfort. No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or confession in open court.

Par. III. No conviction shall work corruption of blood or forfeiture of estate.

Par. IV. All lotteries, and the sale of lottery tickets, are hereby prohibited ; and this prohibition shall be enforced by penal laws.

Par. V. Lobbying is declared to be a crime, and the General Assembly shall enforce this provision by suitable penalties.

Par. VI. The General Assembly shall have the power to provide for the punishment of fraud ; and shall provide, by law, for reaching property of the debtor concealed from the creditor.

SECTION III.

Paragraph I. In cases of necessity, private ways may be granted upon just compensation being first paid by the applicant. Private property shall not be taken, or damaged, for public purposes, without just and adequate compensation being first paid.

Par. II. No bill of attainder, *ex post facto* law, retroactive law, or law impairing the obligation of contracts, or making irrevocable grants of special privileges or immunities, shall be passed.

Par. III. No grant of special privileges or immunities shall be revoked, except in such manner as to work no injustice to the corporators or creditors of the incorporation.

SECTION IV.

Paragraph I. Laws of a general nature shall have uniform operation throughout the State, and no special law shall be enacted in any case for which provision has been

made by an existing general law. No general law affecting private rights, shall be varied in any particular case, by special legislation, except with the free consent, in writing, of all persons to be affected thereby; and no person under legal disability to contract, is capable of such consent.

Par. II. Legislative acts in violation of this Constitution, or the Constitution of the United States, are void, and the Judiciary shall so declare them.

SECTION V.

Paragraph I. The people of this State have the inherent, sole and exclusive right of regulating their internal government, and the police thereof, and of altering and abolishing their Constitution whenever it may be necessary to their safety and happiness.

Par. II. The enumeration of rights herein contained as a part of this Constitution, shall not be construed to deny to the people any inherent rights which they may have hitherto enjoyed.

ARTICLE II.

ELECTIVE FRANCHISE.

SECTION I.

Paragraph I. In all elections by the people, the electors shall vote by ballot.

Par. II. Every male citizen of the United States, (except as hereinafter provided) twenty-one years of age, who shall have resided in this State one year next preceding the election, and shall have resided six months in the county in which he offers to vote, and shall have paid all taxes which

may hereafter be required of him, and which he may have had an opportunity of paying, agreeably to law, except for the year of the election, shall be deemed an elector: *Provided*, that no soldier, sailor or marine in the military or naval service of the United States, shall acquire the rights of an elector, by reason of being stationed on duty in this State; and no person shall vote who, if challenged, shall refuse to take the following oath, or affirmation: "I do swear (or affirm) that I am twenty-one years of age, have resided in this State one year, and in this county six months, next preceding this election. I have paid all taxes which, since the adoption of the present Constitution of this State, have been required of me previous to this year, and which I have had an opportunity to pay, and I have not voted at this election."

SECTION II.

Paragraph I. The General Assembly may provide, from time to time, for the registration of all electors, but the following classes of persons shall not be permitted to register, vote or hold any office, or appointment of honor or trust in this State, to-wit: 1st. Those who shall have been convicted, in any court of competent jurisdiction, of treason against the State, of embezzlement of public funds, malfeasance in office, bribery or larceny, or of any crime involving moral turpitude, punishable by the laws of this State with imprisonment in the penitentiary, unless such person shall have been pardoned. 2d. Idiots and insane persons.

SECTION III.

Paragraph I. Electors shall, in all cases, except for treason, felony, larceny, and breach of the peace, be privileged from arrest during their attendance on elections, and in going to and returning from the same.

SECTION IV.

Paragraph I. No person who is the holder of any public money, contrary to law, shall be eligible to any office in this State, until the same is accounted for and paid into the Treasury.

Par. II. No person who, after the adoption of this Constitution, being a resident of this State, shall have been convicted of fighting a duel in this State, or convicted of sending, or accepting a challenge, or convicted of aiding, or abetting such duel, shall hold office in this State, unless he shall have been pardoned; and every such person shall, also, be subject to such punishment as may be prescribed by law.

SECTION V.

Paragraph I. The General Assembly shall, by law, forbid the sale, distribution, or furnishing of intoxicating drinks within two miles of election precincts, on days of election—State, county or municipal—and prescribe punishment for any violation of the same.

SECTION VI.

Paragraph I. Returns of election for all civil officers elected by the people, who are to be commissioned by the Governor, and, also, for the members of the General Assembly, shall be made to the Secretary of State, unless otherwise provided by law.

ARTICLE III.

LEGISLATIVE DEPARTMENT.

SECTION I.

Paragraph I. The legislative power of the State shall be vested in a General Assembly which shall consist of a Senate and House of Representatives.

SECTION II.

Paragraph I. The Senate shall consist of forty-four members. There shall be forty-four Senatorial Districts, as now arranged by counties. Each District shall have one Senator.

Par. II. The First Senatorial District shall be composed of the counties of Chatham, Bryan and Effingham.

The Second Senatorial District shall be composed of the counties of Liberty, Tatnall and McIntosh.

The Third Senatorial District shall be composed of the counties of Wayne, Pierce and Appling.

The Fourth Senatorial District shall be composed of counties of Glynn, Camden, and Charlton.

\ The Fifth Senatorial District shall be composed of the counties of Coffee, Ware, and Clinch.

The Sixth Senatorial District shall be composed of the counties of Echols, Lowndes, and Berrien.

The Seventh Senatorial District shall be composed of the counties of Brooks, Thomas, and Colquitt.

\ The Eighth Senatorial District shall be composed of the counties of Decatur, Mitchell and Miller.

The Ninth Senatorial District shall be composed of the counties of Early, Calhoun and Baker.

The Tenth Senatorial District shall be composed of the counties of Dougherty, Lee and Worth.

The Eleventh Senatorial District shall be composed of the counties of Clay, Randolph and Terrell.

The Twelfth Senatorial District shall be composed of the counties of Stewart, Webster and Quitman.

The Thirteenth Senatorial District shall be composed of the counties of Sumter, Schley and Macon.

The Fourteenth Senatorial District shall be composed of the counties of Dooly, Wilcox, Pulaski and Dodge.

The Fifteenth Senatorial District shall be composed of the counties of Montgomery, Telfair and Irwin.

The Sixteenth Senatorial District shall be composed of the counties of Laurens, Emanuel and Johnson.

The Seventeenth Senatorial District shall be composed of the counties of Screven, Bulloch and Burke.

The Eighteenth Senatorial District shall be composed of the counties of Richmond, Glasscock and Jefferson.

The Nineteenth Senatorial District shall be composed of the counties of Taliaferro, Greene and Warren.

The Twentieth Senatorial District shall be composed of the counties of Baldwin, Hancock and Washington.

The Twenty-first Senatorial District shall be composed of the counties of Twiggs, Wilkinson and Jones.

The Twenty-second Senatorial District shall be composed of the counties of Bibb, Monroe and Pike.

The Twenty-third Senatorial District shall be composed of the counties of Houston, Crawford and Taylor.

The Twenty-fourth Senatorial District shall be composed of the counties of Muscogee, Marion and Chattahoochee.

The Twenty-fifth Senatorial District shall be composed of the counties of Harris, Upson and Talbot.

The Twenty-sixth Senatorial District shall be composed of the counties of Spalding, Butts and Fayette.

The Twenty-seventh Senatorial District shall be composed of the counties of Newton, Walton, Clarke, Oconee and Rockdale.

The Twenty-eighth Senatorial District shall be composed of the counties of Jasper, Putnam and Morgan.

The Twenty-ninth Senatorial District shall be composed of the counties of Wilkes, Columbia, Lincoln and McDuffie.

The Thirtieth Senatorial District shall be composed of the counties of Oglethorpe, Madison and Elbert.

The Thirty-first Senatorial District shall be composed of the counties of Hart, Habersham and Franklin.

The Thirty-second Senatorial District shall be composed of the counties of White, Dawson and Lumpkin.

The Thirty-third Senatorial District shall be composed of the counties of Hall, Banks and Jackson.

The Thirty-fourth Senatorial District shall be composed of the counties of Gwinnett, DeKalb and Henry.

The Thirty-fifth Senatorial District shall be composed of the counties of Clayton, Cobb and Fulton.

The Thirty-sixth Senatorial District shall be composed of the counties of Campbell, Coweta, Meriwether, Douglass.

The Thirty-seventh Senatorial District shall be composed of the counties of Carroll, Heard and Troup.

The Thirty-eighth Senatorial District shall be composed of the counties of Haralson, Polk and Paulding.

The Thirty-ninth Senatorial District shall be composed of the counties of Milton, Cherokee and Forsyth.

The Fortieth Senatorial District shall be composed of the counties of Union, Towns and Rabun

The Forty-first Senatorial District shall be composed of the counties of Pickens, Fannin and Gilmer.

The Forty-second Senatorial District shall be composed of the counties of Bartow, Floyd and Chattooga.

The Forty-third Senatorial District shall be composed of the counties of Murray, Gordon and Whitfield.

The Forty-fourth Senatorial District shall be composed of the counties of Walker, Dade and Catoosa.

Par. III. The General Assembly may change these districts after each census of the United States: *Provided*, That neither the number of Districts nor the number of Senators from each District shall be increased.

SECTION III.

Paragraph I. The House of Representatives shall consist of one hundred and seventy-five Representatives, ap-

portioned among the several counties as follows, to-wit: To the six counties having the largest population, viz: Chatham, Richmond, Burke, Houston, Bibb and Fulton, three Representatives, each; to the twenty-six counties having the next largest population, viz: Bartow, Coweta, Decatur, Floyd, Greene, Gwinnett, Harris, Jefferson, Meriwether, Monroe, Muscogee, Newton, Stewart, Sumter, Thomas, Troup, Washington, Hancock, Carroll, Cobb, Jackson, Dougherty, Oglethorpe, Macon, Talbot and Wilkes, two Representatives, each; and to the remaining one hundred and five counties, one Representative each.

Par. II. The above apportionment shall be changed by the General Assembly at its first session after each census taken by the United States Government, so as to give to the six counties having the largest population three Representatives, each; and to the twenty-six counties having the next largest population two Representatives, each; but in no event shall the aggregate number of Representatives be increased.

SECTION IV.

Paragraph I. The members of the General Assembly shall be elected for two years, and shall serve until their successors are elected.

Par. II. The first election for members of the General Assembly, under this Constitution, shall take place on the first Wednesday in December, 1877, the second election for the same shall be held on the first Wednesday in October, 1880, and subsequent elections biennially, on that day, until the day of election is changed by law.

Par. III. The first meeting of the General Assembly, after the ratification of this Constitution, shall be on the

first Wednesday in November, 1878, and biennially thereafter, on the same day, until the day shall be changed by law. But nothing herein contained shall be construed to prevent the Governor from calling an extra session of the General Assembly before the first Wednesday in November, 1878, if, in his opinion, the public good shall require it.

Par. IV. A majority of each house shall constitute a quorum to transact business; but a smaller number may adjourn from day to day and compel the presence of its absent members, as each house may provide.

Par. V. Each Senator and Representative, before taking his seat, shall take the following oath, or affirmation, to-wit: "I will support the Constitution of this State, and of the United States, and on all questions and measures which may come before me, I will so conduct myself, as will, in my judgment, be most conducive to the interests and prosperity of this State."

Par. VI. No session of the General Assembly shall continue longer than forty days, unless by a two-thirds vote of the whole number of each house.

Par. VII. No person holding a military commission, or other appointment, or office, having any emolument, or compensation annexed thereto, under this State, or the United States, or either of them, except Justices of the Peace and officers of the militia, nor any defaulter for public money, or for any legal taxes required of him, shall have a seat in either house; nor shall any Senator, or Representative, after his qualification as such, be elected by the General Assembly, or appointed by the Governor, either with or without the advice and consent of the Senate, to any office or appointment having any emolument annexed thereto during the time for which he shall have been elected.

Par. VIII. The seat of a member of either house shall be vacated on his removal from the district or county from which he was elected.

SECTION V.

Paragraph I. The Senators shall be citizens of the United States, who have attained the age of twenty-five years, and who shall have been citizens of this State for four years, and for one year residents of the district from which elected.

Par. II. The presiding officer of the Senate shall be styled the President of the Senate, and shall be elected *viva voce* from the Senators.

Par. III. The Senate shall have the sole power to try impeachments.

Par. IV. When sitting for that purpose, the members shall be on oath, or affirmation, and shall be presided over by the Chief Justice, or the presiding Justice of the Supreme Court. Should the Chief Justice be disqualified the Senate shall select the Judge of the Supreme Court to preside. No person shall be convicted without the concurrence of two-thirds of the members present.

Par. V. Judgments, in cases of impeachment, shall not extend further than removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, within this State; but the party convicted shall, nevertheless, be liable, and subject, to indictment, trial, judgment, and punishment, according to law.

SECTION VI.

Paragraph I. The Representatives shall be citizens of the United States who have attained the age of twenty-

one years, and who shall have been citizens of this State for two years, and for one year residents of the counties from which elected.

Par. II. The presiding officer of the House of Representatives shall be styled the Speaker of the House of Representatives, and shall be elected *viva voce* from the body.

Par. III. The House of Representatives shall have the sole power to impeach all persons who shall have been, or may be, in office.

SECTION VII.

Paragraph I. Each House shall be the judge of the election, returns, and qualifications of its members, and shall have power to punish them for disorderly behavior, or misconduct, by censure, fine, imprisonment, or expulsion; but no member shall be expelled, except by a vote of two thirds of the House to which he belongs.

Par. II. Each House may punish by imprisonment, not extending beyond the session, any person, not a member, who shall be guilty of a contempt, by any disorderly behavior in its presence, or who shall rescue, or attempt to rescue, any person arrested by order of either House.

Par. III. The members of both Houses shall be free from arrest during their attendance on the General Assembly, and in going thereto, or returning therefrom, except for treason, felony, larceny, or breach of the peace; and no member shall be liable to answer in any other place for anything spoken in debate in either House.

Par. IV. Each House shall keep a journal of its proceedings, and publish it immediately after its adjournment.

Par. V. The original journal shall be preserved after

publication, in the office of the Secretary of State, but there shall be no other record thereof.

Par. VI. The yeas and nays on any question, shall, at the desire of one-fifth of the members present, be entered on the journal.

Par. VII. Every bill, before it shall pass, shall be read three times, and on three separate days, in each House, unless in cases of actual invasion or insurrection.

Par. VIII. No law or ordinance shall pass which refers to more than one subject matter, or contains matter different from what is expressed in the title thereof.

Par. IX. The general appropriation bill shall embrace nothing except appropriations fixed by previous laws, the ordinary expenses of the Executive, Legislative and Judicial Departments of the Government, payment of the public debt and interest thereon, and for support of the public institutions and educational interests of the State. All other appropriations shall be made by separate bills, each embracing but one subject.

Par. X. All bills for raising revenue, or appropriating money, shall originate in the House of Representatives, but the Senate may propose, or concur in amendments, as in other bills.

Par. XI. No money shall be drawn from the Treasury except by appropriation made by law, and a regular statement and account of the receipt and expenditure of all public money shall be published every three months, and, also, with the laws passed by each session of the General Assembly.

Par. XII. No bill or resolution appropriating money

shall become a law unless, upon its passage, the yeas and nays, in each house, are recorded.

Par. XIII. All acts shall be signed by the President of the Senate and the Speaker of the House of Representatives, and no bill, ordinance or resolution, intended to have the effect of a law, which shall have been rejected by either house, shall be again proposed during the same session, under the same or any other title, without the consent of two-thirds of the house by which the same was rejected.

Par. XIV. No bill shall become a law unless it shall receive a majority of the votes of all the members elected to each house of the General Assembly, and it shall, in every instance, so appear on the journal.

Par. XV. All special or local bills shall originate in the House of Representatives. The Speaker of the House of Representatives shall, within five days from the organization of the General Assembly, appoint a committee, consisting of one from each Congressional District, whose duty it shall be to consider, and consolidate all special and local bills, on the same subject, and report the same to the House; and no special or local bill shall be read or considered by the House until the same has been reported by said committee, unless by a two-thirds vote. And no bill shall be considered or reported to the House, by said committee, unless the same shall have been laid before it within fifteen days after the organization of the General Assembly; except by a two-thirds vote.

Par. XVI. No local or special bill shall be passed, unless notice of the intention to apply therefor shall have been published in the locality where the matter, or thing to be effected, may be situated, which notice shall be given at least thirty days prior to the introduction of such bill

into the General Assembly, and in the manner to be prescribed by law. The evidence of such notice having been published, shall be exhibited in the General Assembly before such act shall be passed.

Par. XVII. No law, or section of the Code, shall be amended or repealed by mere reference to its title, or to the number of the section of the Code, but the amending, or repealing act, shall distinctly describe the law to be amended or repealed, as well as the alteration to be made.

Par. XVIII. The General Assembly shall have no power to grant corporate powers and privileges to private companies, except banking, insurance, railroad, canal, navigation, express and telegraph companies; nor to make or change election precincts; nor to establish bridges or ferries; nor to change names or legitimate children; but it shall prescribe by law the manner in which such powers shall be exercised by the courts.

Par. XIX. The General Assembly shall have no power to relieve principals or securities upon forfeited recognizances, from the payment thereof, either before or after judgment thereon, unless the principal in the recognizance shall have been apprehended and placed in the custody of the proper officer.

Par. XX. The General Assembly shall not authorize the construction of any street passenger railway within the limits of any incorporated town or city, without the consent of the corporate authorities.

Par. XXI. Whenever the Constitution requires a vote of two-thirds of either or both houses for the passing of an act or resolution, the yeas and nays on the passage thereof shall be entered on the journal.

Par. XXII. The General Assembly shall have power to

make all laws and ordinances consistent with this Constitution, and not repugnant to the Constitution of the United States, which they shall deem necessary and proper for the welfare of the State.

Par. XXIII. No provision in this Constitution, for a two thirds vote of both houses of the General Assembly, shall be construed to waive the necessity for the signature of the Governor, as in any other case, except in the case of the two-thirds vote required to override the veto, and in case of prolongation of a session of the General Assembly.

Par. XXIV. Neither house shall adjourn for more than three days, or to any other place, without the consent of the other, and in case of disagreement between the two houses, on a question of adjournment, the Governor may adjourn either, or both of them.

SECTION VIII.

Paragraph I. The officers of the two houses, other than the President and Speaker, shall be a Secretary of the Senate and Clerk of the House of Representatives, and such assistants as they may appoint; but the clerical expenses of the Senate shall not exceed sixty dollars per day, for each session, nor those of the House of Representatives seventy dollars per day for each session. The Secretary of the Senate, and Clerk of the House of Representatives, shall be required to give bond and security for the faithful discharge of their respective duties.

SECTION IX.

Paragraph I. The per diem of members of the General Assembly shall not exceed four dollars; and mileage shall not exceed ten cents for each mile traveled, by the nearest practicable route, in going to, and returning from, the Capital; but the President of the Senate and the Speaker

of the House of Representatives, shall each receive not exceeding seven dollars per day.

SECTION X.

Paragraph I. All elections by the General Assembly shall be *viva voce*, and the vote shall appear on the journal of the House of Representatives. When the Senate and House of Representatives unite for the purpose of elections, they shall meet in the Representative Hall, and the President of the Senate shall, in such cases, preside and declare the result.

SECTION XI.

Paragraph I. All property of the wife at the time of her marriage, and all property given to, inherited or acquired by her, shall remain her separate property, and not be liable for the debts of her husband.

SECTION XII.

Paragraph I. All life insurance companies now doing business in this State, or which may desire to establish agencies and do business in the State of Georgia, chartered by other States of the Union, or foreign States, shall show that they have deposited with the Comptroller General of the State in which they are chartered, or of this State, the Insurance Commissioner, or such other officer as may be authorized to receive it, not less than one hundred thousand dollars, in such securities as may be deemed by such officer equivalent to cash, subject to his order, as a guarantee fund for the security of policy-holders.

Par. II. When such showing is made to the Comptroller general of the State of Georgia by a proper certificate from the State official having charge of the fund so deposited, the Comptroller General of the State of Georgia is author-

ized to issue to the company making such showing, a license to do business in the State, upon paying the fees required by law.

Par. III. All life insurance companies chartered by the State of Georgia, or which may hereafter be chartered by the State, shall, before doing business, deposit with the Comptroller General of the State of Georgia, or with some strong corporation, which may be approved by said Comptroller General, one hundred thousand dollars, in such securities as may be deemed by him equivalent to cash, to be subject to his order, as a guarantee fund for the security of the policyholders of the company making such deposit, all interest and dividends arising from such securities to be paid, when due, to the company so depositing. Any such securities as may be needed or desired by the company may be taken from said department at any time by replacing them with other securities equally acceptable to the Comptroller General, whose certificate for the same shall be furnished to the company.

Par. IV. The General Assembly shall, from time to time enact laws to compel all fire insurance companies, doing business in this State, whether chartered by this State, or otherwise, to deposit reasonable securities with the Treasurer of this State, to secure the people against loss by the operations of said companies.

Par. V. The General Assembly shall compel all insurance companies in this State, or doing business therein, under proper penalties, to make semi-annual reports to the Governor, and print the same at their own expense, for the information and protection of the people.

ARTICLE IV.

POWER OF THE GENERAL ASSEMBLY OVER TAXATION.

SECTION I.

Paragraph I. The right of taxation is a sovereign right—inalienable, indestructible—is the life of the State, and rightfully belongs to the people in all Republican governments, and neither the General Assembly, nor any, nor all other departments of the Government established by this Constitution, shall ever have the authority to irrevocably give, grant, limit, or restrain this right; and all laws, grants, contracts, and all other acts, whatsoever, by said government, or any department thereof, to affect any of these purposes, shall be, and are hereby, declared to be null and void, for every purpose whatsoever; and said right of taxation shall always be under the complete control of, and revocable by, the State, notwithstanding any gift, grant, or contract, whatsoever, by the General Assembly.

SECTION II.

Paragraph I. The power and authority of regulating railroad freight and passenger tariffs, preventing unjust discriminations, and requiring reasonable and just rates of freight and passenger tariffs, are hereby conferred upon the General Assembly, whose duty it shall be to pass laws, from time to time, to regulate freight and passenger tariffs, to prohibit unjust discriminations on the various railroads of this State, and to prohibit said roads from charging other than just and reasonable rates, and enforce the same by adequate penalties.

Par. II. The exercise of the right of eminent domain shall never be abridged, nor so construed as to prevent the General Assembly from taking the property and franchises of incorporated companies, and subjecting them to public

use, the same as property of individuals ; and the exercise of the police power of the State shall never be abridged, nor so construed, as to permit corporations to conduct their business in such manner as to infringe the equal rights of individuals, or the general well being of the State.

Par. III. The General Assembly shall not remit the forfeiture of the charter of any corporation, now existing, nor alter or amend the same, nor pass any other general or special law, for the benefit of said corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution ; and every amendment of any charter of any corporation in this State, or any special law for its benefit, accepted thereby, shall operate as a novation of said charter and shall bring the same under the provisions of this Constitution : *Provided*, that this section shall not extend to any amendment for the purpose of allowing any existing road to take stock in or aid in the building of any branch road.

Par. IV. The General Assembly of this State shall have no power to authorize any corporation to buy shares, or stock, in any other corporation in this State, or elsewhere, or to make any contract, or agreement whatever, with any such corporation, which may have the effect, or be intended to have the effect, to defeat or lessen competition in their respective businesses, or to encourage monopoly ; and all such contracts and agreements shall be illegal and void.

Par. V. No railroad company shall give, or pay, any rebate, or bonus in the nature thereof, directly or indirectly, or do any act to mislead or deceive the public as to the real rates charged or received for freights or passage ; and any such payments shall be illegal and void, and these prohibitions shall be enforced by suitable penalties.

Par VI. No provision of this article shall be deemed,

held or taken to impair the obligation of any contract heretofore made by the State of Georgia.

Par. VII. The General Assembly shall enforce the provisions of this article by appropriate legislation.

ARTICLE V.

EXECUTIVE DEPARTMENT.

SECTION I.

Paragraph 1. The officers of the Executive Department shall consist of a Governor, Secretary of State, Comptroller General, and Treasurer.

Par. II. The Executive power shall be vested in a Governor, who shall hold his office during the term of two years, and until his successor shall be chosen and qualified. He shall not be eligible to re-election, after the expiration of a second term, for the period of four years. He shall have a salary of three thousand dollars per annum, (until otherwise provided by a law passed by a two-thirds vote, of both branches of the General Assembly) which shall not be increased or diminished during the period for which he shall have been elected; nor shall he receive, within that time, any other emolument from the United States, or either of them, or from any foreign power. But this reduction of salary shall not apply to the present term of the present Governor.

Par. III. The first election for Governor, under this Constitution, shall be held on the first Wednesday in October, 1880, and the Governor-elect shall be installed in office at the next session of the General Assembly. An election shall take place biennially thereafter, on said day, until

another date be fixed by the General Assembly. Said election shall be held at the places of holding general elections in the several counties of this State, in the manner prescribed for the election of members of the General Assembly, and the electors shall be the same.

Par. IV. The returns for every election of Governor shall be sealed up by the managers, separately from other returns, and directed to the President of the Senate and Speaker of the House of Representatives, and transmitted to the Secretary of State, who shall, without opening said returns, cause the same to be laid before the Senate on the day after the two houses shall have been organized, and they shall be transmitted by the Senate to the House of Representatives.

Par. V. The members of each branch of the General Assembly shall convene in the Representative Hall, and the President of the Senate and the Speaker of the House of Representatives, shall open and publish the returns in the presence and under the direction of the General Assembly ; and the person having the majority of the whole number of votes, shall be declared duly elected Governor of this State ; but, if no person shall have such majority then from the two persons having the highest number of votes, who shall be in life, and shall not decline an election at the time appointed for the General Assembly to elect, the General Assembly shall, immediately elect a Governor *viva voce* ; and in all cases of election of a Governor by the General Assembly a majority of the members present shall be necessary to a choice.

Par. VI. Contested elections shall be determined by both houses of the General Assembly in such manner as shall be prescribed by law.

Par. VII. No person shall be eligible to the office of

Governor who shall not have been a citizen of the United States fifteen years, and a citizen of the State six years, and who shall not have attained the age of thirty years.

Par. VIII. In case of the death, resignation or disability of the Governor, the President of the Senate shall exercise the executive powers of the government until such disability be removed, or a successor is elected and qualified. And in case of the death, resignation or disability of the President of the Senate, the Speaker of the House of Representatives shall exercise the executive powers of the government, until the removal of the disability, or the election and qualification of a Governor.

Par. IX The General Assembly shall have power to provide by law, for filling unexpired terms by special elections.

Par. X. The Governor shall, before he enters on the duties of his office, take the following oath or affirmation: "I do solemnly swear (or affirm as the case may be) that I will faithfully execute the office of Governor of the State of Georgia, and will, to the best of my ability, preserve, protect and defend the Constitution thereof, and the Constitution of the United States of America."

Par. XI. The Governor shall be commander-in-chief of the army and navy of this State, and of the militia thereof.

Par. XII. He shall have power to grant reprieves and pardons, to commute penalties, remove disabilities imposed by law, and to remit any part of a sentence for offenses against the State, after conviction, except in cases of treason and impeachment, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason, he may suspend the execution of the sentence and report the case to

the General Assembly at the next meeting thereof, when the General Assembly shall either pardon, commute the sentence, direct its execution, or grant a further reprieve. He shall, at each session of the General Assembly, communicate to that body each case of reprieve, pardon or commutation granted, stating the name of the convict, the offense of which he was convicted, the sentence and its date, the date of the reprieve, pardon or commutation, and the reasons for granting the same. He shall take care that the laws are faithfully executed, and shall be a conservator of the peace throughout the State.

Par. XIII. He shall issue writs of election to fill all vacancies that may happen in the Senate or House of Representatives, and shall give the General Assembly, from time to time, information of the state of the Commonwealth, and recommend to their consideration such measures as he may deem necessary or expedient. He shall have power to convoke the General Assembly on extraordinary occasions, but no law shall be enacted at called sessions of the General Assembly except such as shall relate to the object stated in his proclamation convening them.

Par. XIV. When any office shall become vacant, by death, resignation, or otherwise, the Governor shall have power to fill such vacancy, unless otherwise provided by law ; and persons so appointed shall continue in office until a successor is commissioned, agreeably to the mode pointed out by this Constitution, or by law in pursuance thereof.

Par. XV. A person once rejected by the Senate shall not be re-appointed by the Governor to the same office during the same session, or the recess thereafter.

Par. XVI. The Governor shall have the revision of all bills passed by the General Assembly, before the same shall become laws, but two-thirds of each House may pass

a law, notwithstanding his dissent ; and if any bill should not be returned by the Governor within five days (Sunday excepted) after it has been presented to him, the same shall be a law ; unless the General Assembly, by their adjournment, shall prevent its return. He may approve any appropriation, and disapprove any other appropriation, in the same bill, and the latter shall not be effectual, unless passed by two-thirds of each House.

Par. XVII. Every vote, resolution, or order, to which the concurrence of both Houses may be necessary, except on a question of election, or adjournment, shall be presented to the Governor, and before it shall take effect be approved by him, or, being disapproved, shall be repassed by two-thirds of each House.

Par. XVIII. He may require information, in writing, from the officers in the Executive Department on any subject relating to the duties of their respective offices. It shall be the duty of the Governor, quarterly, and oftener if he deems it expedient, to examine, under oath, the Treasurer and Comptroller General of the State on all matters pertaining to their respective offices, and to inspect and review their books and accounts. The General Assembly shall have authority to provide by law for the suspension of either of said officers from the discharge of the duties of his office, and, also for the appointment of a suitable person to discharge the duties of the same

Par. XIX. The Governor shall have power to appoint his own secretaries, not exceeding two in number, and to provide such other clerical force as may be required in his office, but the total cost for secretaries and clerical force in his office shall not exceed six thousand dollars per annum.

SECTION II.

Paragraph I. The Secretary of State, Comptroller Gen-

eral and Treasurer shall be elected by the persons qualified to vote for members of the General Assembly, at the same time and in the same manner as the Governor. The provisions of the Constitution as to the transmission of the returns of election, counting the votes, declaring the result, deciding when there is no election and when there is a contested election, applicable to the election of Governor, shall apply to the election of Secretary of State, Comptroller General and Treasurer ; they shall be commissioned by the Governor and hold their offices for the same time as the Governor.

Par. II. The salary of the Treasurer shall not exceed two thousand dollars per annum. The clerical expenses of his department shall not exceed sixteen hundred dollars per annum.

Par. III. The salary of the Secretary of State shall not exceed two thousand dollars per annum, and the clerical expenses of his department shall not exceed one thousand dollars per annum.

Par. IV. The salary of the Comptroller General shall not exceed two thousand dollars per annum. The clerical expenses of his department, including the Insurance Department and Wild Land Clerk, shall not exceed four thousand dollars per annum—and without said clerk it shall not exceed three thousand dollars per annum.

Par. V. The Treasurer shall not be allowed, directly or indirectly, to receive any fee, interest or reward from any person, bank or corporation, for the deposit or use, in any manner, of the public funds ; and the General Assembly shall enforce this provision by suitable penalties.

Par. VI. No person shall be eligible to the office of Secretary of State, Comptroller General, or Treasurer, un-

less he shall have been a citizen of the United States for ten years, and shall have resided in this State for six years next preceding his election, and shall be twenty-five years of age when elected. All of said officers shall give bond and security, under regulations to be prescribed by law, for the faithful discharge of their duties.

Par. VII. The Secretary of State, the Comptroller General, and the Treasurer, shall not be allowed any fee, perquisite, or compensation, other than their salaries, as prescribed by law, except their necessary expenses when absent from the seat of Government on business for the State.

SECTION III.

Paragraph I. The Great Seal of the State shall be deposited in the office of the Secretary of State, and shall not be affixed to any instrument of writing except by order of the Governor, or General Assembly, and that now in use shall be the Great Seal of the State until otherwise provided by law.

ARTICLE VI.

JUDICIARY.

SECTION I.

Paragraph I. The judicial powers of this State shall be vested in a Supreme Court, Superior Courts, Courts of Ordinary, Justices of the Peace, commissioned Notaries Public, and such other courts as have been, or may be, established by law.

SECTION II.

Paragraph I. The Supreme Court shall consist of a

Chief Justice and two Associate Justices. A majority of the court shall constitute a quorum.

Par. II. When one or more of the judges are disqualified from deciding any case, by interest or otherwise, the Governor shall designate a judge, or judges, of the Superior Courts to preside in said case.

Par. III. No judge of any court, shall preside in any case where the validity of any bond—Federal, State, corporation or municipal—is involved, who holds in his own right, or as the representative of others, any material interest in the class of bonds upon which the question to be decided arises.

Par. IV. The Chief Justice and Associate Justices shall hold their offices for six years, and until their successors are qualified. A successor to the incumbent whose term will soonest expire shall be elected by the General Assembly in 1880; a successor to the incumbent whose term of office is next in duration shall be elected by the General Assembly in 1882; and a successor to the third incumbent shall be elected by the General Assembly in 1884; but appointments to fill vacancies shall only be for the unexpired term, or until such vacancies are filled by elections, agreeably to the mode pointed out by this Constitution.

Par. V. The Supreme Court shall have no original jurisdiction, but shall be a Court alone for the trial and correction of errors from the Superior Courts, and from the City Courts of Atlanta and Savannah, and such other like Courts as may be hereafter established in other cities; and shall sit at the seat of government, at such times, in each year, as shall be prescribed by law, for the trial and determination of writs of error from said Superior and City Courts.

Par. VI. The Supreme Court shall dispose of every case

at the first or second term after such writ of error is brought; and in case the plaintiff in error shall not be prepared at the first term to prosecute the case—unless prevented by Providential cause—it shall be stricken from the docket, and the judgment below shall stand affirmed.

Par. VII. In any case the Court may, in its discretion, withhold its judgment until the next term after the same is argued.

SECTION III.

Paragraph I. There shall be a Judge of the Superior Courts for each Judicial Circuit, whose term of office shall be four years, and until his successor is qualified. He may act in other circuits when authorized by law.

Par. II. The successors to the present incumbents shall be elected by the General Assembly as follows: To the half (as near as may be) whose commissions are the oldest, in the year 1878; and to the others in the year 1880. All subsequent elections shall be at the session of the General Assembly next preceding the expiration of the terms of incumbents, except elections to fill vacancies. The day of election may be fixed by the General Assembly.

Par. 3. The terms of the judges to be elected under the Constitution (except to fill vacancies) shall begin on the first day of January, after their elections. But, if the time for the meeting of the General Assembly shall be changed, the General Assembly may change the time when the terms of judges thereafter elected shall begin.

SECTION IV.

Paragraph I. The Superior Courts shall have exclusive jurisdiction in cases of divorce; in criminal cases where

the offender is subjected to loss of life, or confinement in the penitentiary; in cases respecting titles to land, and equity cases.

Par. II. The General Assembly may confer upon the Courts of Common Law, all the powers heretofore exercised by Courts of Equity in this State.

Par. III. Said Courts shall have jurisdiction in all civil cases, except as hereinafter provided.

Par. IV. They shall have appellate jurisdiction in all such cases as may be provided by law.

Par. V. They shall have power to correct errors in inferior judicatories, by writ of certiorari, which shall only issue on the sanction of the Judge; and said Courts, and the Judges thereof, shall have power to issue writs of mandamus, prohibition, scire facias, and all other writs that may be necessary for carrying their powers fully into effect, and shall have such other powers as are, or may be, conferred on them by law.

Par. VI. The General Assembly may provide for an appeal from one jury, in the Superior and City Courts, to another, and the said Courts may grant new trials on legal grounds.

Par. VII. The Court shall render judgment without the verdict of a jury, in all civil cases founded on unconditional contracts in writing, where an issuable defense is not filed under oath or affirmation.

Par. VIII. The Superior Courts shall sit in each county not less than twice in each year, at such times as have been, or may be, appointed by law.

Par. IX. The General Assembly may provide by law for the appointment of some proper person to preside in cases

where the presiding Judge is, from any cause, disqualified

SECTION V.

Paragraph I. In any county within which there is, or hereafter may be, a City Court, the judge of said court, and of the Superior Court, may preside in the courts of each other in cases where the judge of either court is disqualified to preside.

SECTION VI.

Paragraph I. The powers of a Court of Ordinary, and of Probate, shall be vested in an Ordinary for each county, from whose decision there may be an appeal (or, by consent of parties, without a decision) to the Superior Court, under regulations prescribed by law.

Par. II. The Courts of Ordinary shall have such powers in relation to roads, bridges, ferries, public buildings, paupers, county officers, county funds, county taxes, and other county matters, as may be conferred on them by law.

Paragraph IV. The Ordinary shall hold his office for the term of four years, and until his successor is elected and qualified.

SECTION VII.

Paragraph I. There shall be in each militia district one Justice of the Peace, whose official term, except when elected to fill an unexpired term, shall be four years.

Par. II. Justices of the Peace shall have jurisdiction in all civil cases, arising *ex contractu*, and in cases of injuries or damages to personal property when the principal sum does not exceed one hundred dollars, and shall sit monthly, at fixed times, and places; but in all cases there may be an appeal to a jury in said Court, or an appeal to the Su-

perior Court, under such regulations as may be prescribed by law.

Par. III. Justices of the Peace shall be elected by the legal voters in their respective districts, and shall be commissioned by the Governor. They shall be removable on conviction for malpractice in office.

SECTION VIII.

Paragraph I. Commissioned Notaries Public, not to exceed one for each militia district, may be appointed by the Judges of the Superior Courts in their respective circuits, upon recommendation of the grand juries of the several counties. They shall be commissioned by the Governor for the term of four years, and shall be *ex-officio* Justices of the Peace, and shall be removable on conviction for malpractice in office.

SECTION IX.

Paragraph I. The jurisdiction, powers, proceedings and practice of all courts or officers invested with judicial powers (except City Courts) of the same grade or class, so far as regulated by law, and the force and effect of the process, judgment and decree, by such courts, severally, shall be uniform. This uniformity must be established by the General Assembly.

SECTION X.

Paragraph I. There shall be an Attorney General of this State, who shall be elected by the people at the same time, for the same term and in the same manner as the Governor.

Par. II. It shall be the duty of the Attorney General to act as the legal adviser of the Executive Department, to represent the State in the Supreme Court in all capital felonies; and in all civil and criminal cases in any court

when required by the Governor, and to perform such other services as shall be required of him by law.

SECTION XI.

Paragraph I. There shall be a Solicitor General for each judicial circuit, whose official term, except when commissioned to fill an unexpired term, shall be four years.

Par. II. It shall be the duty of the Solicitor General to represent the State in all cases in the Superior Courts of his circuit, and in all cases taken up from his circuit to the Supreme Court; and to perform such other services as shall be required of him by law.

SECTION XII.

Paragraph I. The Judges of the Supreme and Superior Courts, and Solicitors General, shall be elected by the General Assembly, in joint session, on such day, or days, as shall be fixed by joint resolution of both houses. At the session of the General Assembly which is held next before the expiration of the terms of the present incumbents, as provided in this Constitution, their successors shall be chosen; and, the same shall apply to the election of those who shall succeed them. Vacancies occasioned by death, resignation or other cause, shall be filled by appointment of the Governor, until the General Assembly shall convene, when an election shall be held to fill the unexpired portion of the vacant terms.

SECTION XIII.

Paragraph I. The Judges of the Supreme Court shall have, out of the treasury of the State, salaries not to exceed three thousand dollars per annum; the Judges of the Superior Courts shall have salaries not to exceed two thousand dollars per annum; the Attorney General shall

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have a salary not to exceed two thousand dollars per annum ; and the Solicitors General shall each have salaries not to exceed two hundred and fifty dollars per annum ; but the Attorney General shall not have any fee or perquisite in any cases arising after the adoption of this Constitution ; but the provisions of this section shall not affect the salaries of those now in office.

Par. II. The General Assembly may, at any time, by a two-thirds vote of each branch, prescribe other and different salaries for any, or all, of the above officers, but no such change shall affect the officers then in commission

SECTION XIV.

Paragraph I. No person shall be Judge of the Supreme or Superior Courts, or Attorney General, unless, at the time of his election, he shall have attained the age of thirty years, and shall have been a citizen of the State three years, and have practiced law for seven years ; and no person shall be hereafter elected Solicitor General, unless at the time of his election he shall have attained twenty-five years of age, shall have been a citizen of the State for three years, and shall have practiced law for three years next preceding his election.

SECTION XV.

Paragraph I. No total divorce shall be granted, except on the concurrent verdicts of two juries, at different terms of the Court.

Par. II. When a divorce is granted, the jury rendering the final verdict shall determine the rights and disabilities of the parties.

SECTION XVI.

Paragraph I. Divorce cases shall be brought in the county where the defendant resides, if a resident of this

State; if the defendant be not a resident of this State, then in the county in which the plaintiff resides.

Par. II. Cases respecting titles to land shall be tried in the county where the land lies, except where a single tract is divided by a county line, in which case the Superior Court of either county shall have jurisdiction.

Par. III. Equity cases shall be tried in the county where a defendant resides against whom substantial relief is prayed.

Par. IV. Suits against joint obligors, joint promisors, copartners, or joint trespassers, residing in different counties, may be tried in either county.

Par. V. Suits against the maker and endorser of promissory notes, or drawer, acceptor and endorser of foreign or inland bills of exchange, or like instruments, residing in different counties, shall be brought in the county where the maker or acceptor resides.

Par. VI. All other civil cases shall be tried in the county where the defendant resides, and all criminal cases shall be tried in the county where the crime was committed, except cases in the Superior Courts where the Judge is satisfied that an impartial jury cannot be obtained in such county.

SECTION XVII.

Paragraph I. The power to change the venue in civil and criminal cases shall be vested in the Superior Courts, to be exercised in such manner as has been, or shall be, provided by law.

SECTION XVIII.

Paragraph I. The right of trial by jury, except where it

is otherwise provided in this Constitution, shall remain inviolate, but the General Assembly may prescribe any number, not less than five, to constitute a trial or traverse jury in courts other than the Superior and City Courts.

Par. II. The General Assembly shall provide by law for the selection of the most experienced, intelligent and upright men to serve as grand jurors, and intelligent and upright men to serve as traverse jurors, Nevertheless, the grand jurors shall be competent to serve as traverse jurors.

Par. III. It shall be the duty of the General Assembly, by general laws, to prescribe the manner of fixing compensation of jurors in all counties in this State.

SECTION XIX.

Paragraph I. The General Assembly shall have power to provide for the creation of County Commissioners in such counties as may require them, and to define their duties.

SECTION XX.

Paragraph I. All courts not specially mentioned by name, in the first section of this article, may be abolished in any county, at the discretion of the General Assembly.

SECTION XXI.

Paragraph I. The costs in the Supreme Court shall not exceed ten dollars, until otherwise provided by law. Plaintiffs in error shall not be required to pay costs in said court when the usual pauper oath is filed in the Court below.

ARTICLE VII.

FINANCE, TAXATION AND PUBLIC DEBT.

SECTION I.

Paragraph I. The powers of taxation over the whole State shall be exercised by the General Assembly for the following purposes only :

For the support of the State government and the public institutions ;

For educational purposes, in instructing children in the elementary branches of an English education only ;

To pay the interest on the public debt ;

To pay the principal of the public debt ;

To suppress insurrection, to repel invasion, and defend the State in time of war ;

To supply the soldiers who lost a limb, or limbs, in the military service of the Confederate States, with substantial artificial limbs during life.

SECTION II.

Paragraph I. All taxation shall be uniform upon the same class of subjects, and *ad valorem* on all property subject to be taxed, within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws. The General Assembly may, however, impose a tax upon such domestic animals as, from their nature and habits, are destructive of other property.

Par. II. The General Assembly may, by law, exempt from taxation all public property, places of religious worship or burial ; all institutions of purely public charity ; all

buildings erected for and used as a college, incorporated academy, or other seminary of learning ; the real and personal estate of any public library, and that of any other literary association, used by or connected with such library ; all books and philosophical apparatus ; and all paintings and statuary of any company or association, kept in a public hall, and not held as merchandize, or for purposes of sale or gain : *Provided*, the property so exempted be not used for purposes of private or corporate profit or income.

Par. III. No poll tax shall be levied except for educational purposes, and such tax shall not exceed one dollar, annually, upon each poll.

Par. IV. All laws exempting property from taxation other than the property herein enumerated, shall be void

Par. V. The power to tax corporations and corporate property, shall not be surrendered or suspended by any contract or grant to which the State shall be a party.

SECTION III.

Paragraph I. No debt shall be contracted by, or on behalf of the State, except to supply casual deficiencies of revenue, to repel invasion, suppress insurrection and defend the State in time of war, or to pay the existing public debt ; but the debt created to supply deficiencies in revenue shall not exceed, in the aggregate, two hundred thousand dollars.

SECTION IV.

Paragraph I. All laws authorizing the borrowing of money by, or on behalf of, the State, shall specify the purposes for which the money is to be used, and the money so obtained shall be used for the purpose specified, and for no other

SECTION V.

Paragraph I. The credit of the State shall not be pledged or loaned to any individual, company, corporation or association, and the State shall not become a joint owner or stockholder in any company, association, or corporation.

SECTION VI.

Paragraph I. The General Assembly shall not authorize any county, municipal corporation, or political division of this State, to become a stockholder in any company, corporation, or association, or to appropriate money for, or to loan its credit to any corporation, company, association, institution, or individual, except for purely charitable purposes. This restriction shall not operate to prevent the support of schools by municipal corporations within their respective limits : Provided, that if any municipal corporation shall offer to the State any property for locating or building a capitol, and the State accepts such offer, the corporation may comply with such offer.

Par. II. The General Assembly shall not have power to delegate to any county the right to levy a tax for any purpose, except for educational purposes in instructing children in the elementary branches of an English education only ; to build and repair the public buildings, and bridges ; to maintain and support prisoners ; to pay jurors, and coroners, and for litigation, quarantine, roads, and expenses of courts ; to support paupers and pay debts heretofore existing.

SECTION VII.

Paragraph I. The debt hereafter incurred by any county, municipal corporation, or political division, of this State, except as in this Constitution provided for, shall never exceed seven per centum of the assessed value of

all the taxable property therein, and no such county, municipality or division, shall incur any new debt, except for a temporary loan or loans, to supply casual deficiencies of revenue, not to exceed one-fifth of one per centum of the assessed value of taxable property therein, without the assent of two-thirds of the qualified voters thereof, at an election for that purpose, to be held as may be prescribed by law ; but any city, the debt of which does not exceed seven per centum of the assessed value of the taxable property at the time of the adoption of this Constitution, may be authorized by law to increase, at any time, the amount of said debt, three per centum upon such assessed valuation.

Par. II. Any county, municipal corporation, or political division of this State, which shall incur any bonded indebtedness under the provisions of this Constitution, shall, at or before the time of so doing, provide for the assessment and collection of an annual tax sufficient in amount, to pay the principal and interest of said debt within thirty years from the date of the incurring of said indebtedness.

SECTION VIII.

Paragraph I. The State shall not assume the debt nor any part thereof, of any county, municipal corporation or political division of the State, unless such debt shall be contracted to enable the State to repel invasion, suppress insurrection, or defend itself in time of war.

SECTION IX.

Paragraph 1. The receiving directly or indirectly, by any officer of State or county, or member or officer of the General Assembly, of any interest, profits, or perquisites, arising from the use or loan of public funds in his hands, or moneys to be raised through his agency for State or county purposes, shall be deemed a felony, and punishable

as may be prescribed by law, a part of which punishment shall be a disqualification from holding office.

SECTION X.

Paragraph I. Municipal corporations shall not incur any debt until provision therefor shall have been made by the municipal government.

SECTION XI.

Paragraph I, The General Assembly shall have no authority to appropriate money, either directly or indirectly, to pay the whole, or any part, of the principal, or interest, of the bonds, or other obligations which have been pronounced illegal, null and void, by the General Assembly, and the constitutional amendments ratified by a vote of the people on the first day of May, 1877 ; nor shall the General Assembly have authority to pay any of the obligations created by the State under laws passed during the late war between the States, nor any of the bonds, notes, or obligations made and entered into during the existence of said war, the time for the payment of which was fixed after the ratification of a treaty of peace between the United States and the Confederate States; nor shall the General Assembly pass any law, or the Governor, or other State official, enter into any contract, or agreement, whereby the State shall be made a party to any suit in any court of this State, or of the United States, instituted to test the validity of any such bonds or obligations.

SECTION XII.

Paragraph I. The bonded debt of the State shall never be increased, except to repel invasion, suppress insurrection, or defend the State in time of war.

SECTION XIII.

Paragraph I. The proceeds of the sale of the Western and Atlantic, Macon and Brunswick, or other railroads, held by the State, and any other property owned by the State, whenever the General Assembly may authorize the sale of the whole, or any part thereof, shall be applied to the payment of the bonded debt of the State, and shall not be used for any other purpose whatever, so long as the State has any existing bonded debt; provided, that the proceeds of the sale of the Western and Atlantic Railroad shall be applied to the payment of the bonds for which said railroad has been mortgaged, in preference to all other bonds.

SECTION XIV.

Paragraph I. The General Assembly shall raise, by taxation, each year, in addition to the sum required to pay the public expenses and interest on the public debt, the sum of one hundred thousand dollars, which shall be held as a sinking fund, to pay off and retire the bonds of the State which have not yet matured, and shall be applied to no other purpose whatever. If the bonds cannot at any time be purchased at or below par, then the sinking fund herein provided for may be loaned by the Governor and Treasurer of the State; provided, the security which shall be demanded for said loan shall consist only of the valid bonds of the State; but this section shall not take effect until the eight per cent. currency bonds, issued under the Act of February the 19th, 1873, shall have been paid.

SECTION XV.

Paragraph I. The Comptroller General and Treasurer shall each make to the Governor a quarterly report of the financial condition of the State, which report shall include a statement of the assets, liabilities and income of the

State, and expenditures therefor, for the three months preceding ; and it shall be the duty of the Governor to carefully examine the same by himself, or through competent persons connected with his department, and cause an abstract thereof to be published for the information of the people, which abstract shall be endorsed by him as having been examined.

SECTION XVI.

Paragraph I. The General Assembly shall not, by vote, resolution or order grant any donation, or gratuity, in favor of any person, corporation or association.

Par. II. The General Assembly shall not grant or authorize extra compensation to any public officer, agent or contractor after the service has been rendered, or the contract entered into.

SECTION XVII.

Paragraph I. The office of the State Printer shall cease with the expiration of the term of the present incumbent, and the General Assembly shall provide, by law, for letting the public printing to the lowest responsible bidder, or bidders, who shall give adequate and satisfactory security for the faithful performance thereof. No member of the General Assembly, or other public officer, shall be interested, either directly or indirectly, in any such contract.

ARTICLE VIII.

EDUCATION.

SECTION I.

Paragraph I. There shall be a thorough system of common schools for the education of children in the elemen-

tary branches of an English education only, as nearly uniform as practicable, the expenses of which shall be provided for by taxation, or otherwise. The schools shall be free to all children of the State, but separate schools shall be provided for the white and colored races.

SECTION II.

Paragraph I. There shall be a State School Commissioner, appointed by the Governor, and confirmed by the Senate, whose term of office shall be two years, and until his successor is appointed and qualified. His office shall be at the seat of government, and he shall be paid a salary not to exceed two thousand dollars per annum. The General Assembly may substitute for the State School Commissioner such officer, or officers, as may be deemed necessary to perfect the system of public education.

SECTION III.

Paragraph I. The poll tax, any educational fund now belonging to the State (except the endowment of and debt due to the University of Georgia), a special tax on shows and exhibitions, and on the sale of spirituous and malt liquors—which the General Assembly is hereby authorized to assess—and the proceeds of any commutation tax for military service, and all taxes that may be assessed on such domestic animals as, from their nature and habits, are destructive to other property, are hereby set apart and devoted to the support of common schools.

SECTION IV.

Paragraph I. Authority may be granted to counties, upon the recommendation of two grand juries, and to municipal corporations, upon the recommendation of the corporate authority, to establish and maintain public schools in their respective limits, by local taxation; but no such

local laws shall take effect until the same shall have been submitted to a vote of the qualified voters in each county or municipal corporation, and approved by a two-thirds vote of persons qualified to vote at such election; and the General Assembly may prescribe who shall vote on such question.

SECTION V.

Paragraph I. Existing local school systems shall not be affected by this Constitution. Nothing contained in section first of this article shall be construed to deprive schools in this State, not common schools, from participation in the educational fund of the State, as to all pupils therein taught in the elementary branches of an English education.

SECTION VI.

Paragraph I. The trustees of the University of Georgia may accept bequests, donations and grants of land, or other property, for the use of said University. In addition to the payment of the annual interest on the debt due by the State to the University, the General Assembly may, from time to time, make such donations thereto as the condition of the Treasury will authorize. And the General Assembly may also, from time to time, make such appropriations of money as the condition of the Treasury will authorize to any College or University (not exceeding one in number) now established or hereafter to be established in this State for the education of persons of color.

ARTICLE IX.

HOMESTEAD AND EXEMPTIONS.

SECTION I.

Paragraph I. There shall be exempt from levy and sale, by virtue of any process whatever, under the laws of this

State, except as hereinafter excepted, of the property of every head of a family, or guardian, or trustee of a family of minor children, or every aged or infirm person, or person having the care and support of dependent females of any age, who is not the head of a family, realty or personalty, or both, to the value in the aggregate of sixteen hundred dollars.

SECTION II.

Paragraph I. No court or ministerial officer in this State shall ever have jurisdiction or authority to enforce any judgment, execution, or decree, against the property set apart for such purpose, including such improvements as may be made thereon, from time to time, except for taxes, for the purchase money of the same, for labor done thereon, for material furnished therefor, or for the removal of encumbrances thereon.

SECTION III.

Paragraph I. The debtor shall have power to waive or renounce in writing his right to the benefit of the exemption provided for in this article, except as to wearing apparel, and not exceeding three hundred dollars worth of household and kitchen furniture, and provisions, to be selected by himself and his wife, if any, and he shall not, after it is set apart, alienate or encumber the property so exempted, but it may be sold by the debtor, and his wife, if any, jointly, with the sanction of the Judge of the Superior Court of the county, where the debtor resides or the land is situated, the proceeds to be reinvested upon the same uses.

SECTION IV.

Paragraph I. The General Assembly shall provide, by law, as early as practicable, for the setting apart and valuation

of said property. But nothing in this article shall be construed to affect or repeal the existing laws for exemption of property from sale, contained in the present Code of this State in paragraphs 2040 to 2049 inclusive, and the acts amendatory thereto. It may be optional with the applicant to take either, but not both, of such exemptions.

SECTION V.

Paragraph I. The debtor shall have authority to waive or renounce in writing his right to the benefit of the exemption provided for in section four, except as is excepted in section three of this article.

SECTION VI.

Paragraph 1. The applicant shall, at any time, have the right to supplement his exemption by adding to an amount already set apart which is less than the whole amount of exemption herein allowed, a sufficiency to make his exemption equal to the whole amount.

SECTION VII.

Paragraph 1. Homesteads and exemptions of personal property which have been heretofore set apart by virtue of the provisions of the existing Constitution of this State, and in accordance with the laws for the enforcement thereof, or which may be hereafter so set apart, at any time, shall be and remain valid as against all debts and liabilities existing at the time of the adoption of this Constitution, to the same extent that they would have been had said existing Constitution not been revised.

SECTION VIII.

Paragraph I. Rights which have become vested under previously existing laws shall not be affected by anything herein contained. In all cases in which homesteads have

been set apart under the Constitution of 1868, and the laws made in pursuance thereof, and a *bona fide* sale of such property has been subsequently made, and the full purchase price thereof has been paid, all right of exemption in such property by reason of its having been so set apart, shall cease in so far as it affects the right of the purchaser. In all such cases where a part only of the purchase price has been paid, such transaction shall be governed by the laws now of force in this State, in so far as they affect the rights of the purchaser, as though said property had not been set apart.

SECTION IX.

Paragraph I. Parties who have taken a homestead of realty under the Constitution of eighteen hundred and sixty-eight, shall have the right to sell said Homestead and rethe same, by order of the judge of the Superior Courts of this State.

ARTICLE X.

MILITIA.

SECTION I.

Paragraph I. A well regulated militia being essential to the peace and security of the State, the General Assembly shall have authority to provide by law how the militia of this State shall be organized, officered, trained, armed and equipped ; and of whom it shall consist.

Par. II. The General Assembly shall have power to authorize the formation of volunteer companies, and to provide for their organization into battalions, regiments, brigades, divisions and corps, with such restrictions as may be prescribed by law, and shall have authority to arm and equip the same.

Par. III. The officers and men of the militia and volun-

teer forces shall not be entitled to receive any pay, rations, or emoluments, when not in active service by authority of the State.

ARTICLE XI.

COUNTIES AND COUNTY OFFICERS.

SECTION I.

Paragraph I. Each county shall be a body corporate, with such powers and limitations as may be prescribed by law. All suits by, or against, a county, shall be in the name thereof; and the metes and bounds of the several counties shall remain as now prescribed by law, unless changed as hereinafter provided.

Par. II. No new county shall be created.

Par. III. County lines shall not be changed, unless under the operation of a general law for that purpose.

Par. IV. No county site shall be changed or removed, except by a two-thirds vote of the qualified voters of the county, voting at an election held for that purpose, and a two-thirds vote of the General Assembly.

Par. V. Any county may be dissolved and merged with contiguous counties, by a two-thirds vote of the qualified electors of such county, voting at an election held for that purpose.

SECTION II.

Paragraph I. The county officers shall be elected by the qualified voters of their respective counties, or districts, and shall hold their offices for two years. They shall be removed on conviction for malpractice in office, and no person shall be eligible to any of the offices referred to in this par-

agraph, unless he shall have been a resident of the county for two years, and is a qualified voter.

SECTION III.

Paragraph I. Whatever tribunal, or officers, may hereafter be created by the General Assembly for the transaction of county matters, shall be uniform throughout the State, and of the same name, jurisdiction and remedies, except that the General Assembly may provide for the appointment of Commissioners of roads and revenue in any county.

ARTICLE XII.

THE LAWS OF GENERAL OPERATION IN FORCE IN THIS STATE

Paragraph I. The laws of general operation in this State are, first, as the supreme law: the Constitution of the United States, the laws of the United States in pursuance thereof, and all treaties made under the authority of the United States ;

Par. II. Second. As next in authority thereto : this Constitution ;

Par. III. Third. In subordination to the foregoing: All laws now of force in this State, not inconsistent with this Constitution, and the ordinances of this Convention, shall remain of force until the same are modified or repealed by the General Assembly. The tax acts and appropriation acts passed by the General Assembly of 1877, and approved by the Governor of the State, and not inconsistent with the Constitution, are hereby continued in force until altered by law.

Par. IV. Local and private acts passed for the benefit of counties, cities, towns, corporations, and private persons not inconsistent with the supreme law, nor with this Constitution, and which have not expired nor been repealed,

shall have the force of statute law, subject to judicial decision as to their validity when passed and to any limitations imposed by their own terms.

Par V. All rights, privileges and immunities which may have vested in, or accrued to, any person or persons, or corporation, in his, her, or their own right, or in any fiduciary capacity, under, and in virtue of, any act of the General Assembly, or any judgment, decree, or order, or other proceeding of any court of competent jurisdiction, in this State, heretofore rendered, shall be held inviolate by all courts before which they may be brought in question, unless attacked for fraud.

Par. VI. All judgments, decrees, orders, and other proceedings, of the several courts of this State, heretofore made, within the limits of their several jurisdictions, are hereby ratified and affirmed, subject only to reversal by motion for a new trial, appeal, bill of review, or other proceeding, in conformity with the law of force when they were made.

Par. VII. The officers of the government now existing shall continue in the exercise of their several functions until their successors are duly elected, or appointed and qualified; but nothing herein is to apply to any officer, whose office may be abolished by this Constitution.

Pat. VIII. The ordinances of this Convention shall have the force of laws until otherwise provided by the General Assembly, except the ordinances in reference to submitting the homestead and capital question to a vote of the people, which ordinances, after being voted on, shall have the effect of Constitutional provisions.

ARTICLE XIII.

AMENDMENTS TO THE CONSTITUTION.

SECTION I.

Paragraph I. Any amendment, or amendments to this Constitution may be proposed in the Senate or House of Representatives, and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon. And the General Assembly shall cause such amendment or amendments to be published in one or more newspapers in each Congressional District, for two months previous to the time of holding the next general election, and shall also provide for a submission of such proposed amendment or amendments, to the people at said next general election, and if the people shall ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the General Assembly, voting thereon, such amendment or amendments, shall become a part of this Constitution. When more than one amendment is submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately.

Par. II. No Convention of the people shall be called by the General Assembly to revise, amend, or change this Constitution, unless by the concurrence of two-thirds of all the members of each house of the General Assembly. The representation in said Convention shall be based on population as near as practicable.

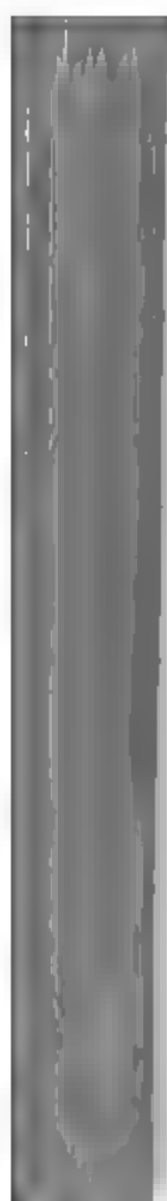
SECTION II.

Paragraph I. The Constitution shall be submitted for ratification or rejection to the electors of the State, at an election to be held on the first Wednesday in Decem-

ber, one thousand eight hundred and seventy-seven, in the several election districts of this State, at which election every person shall be entitled to vote who is entitled to vote for the members of the General Assembly under the Constitution and laws of force at the date of such election ; said election to be held and conducted as is now provided by law for holding elections for members of the General Assembly. All persons voting at said election in favor of adopting the Constitution, shall write or have printed on their ballots the words "*For Ratification ;*" and all persons opposed to the adoption of this Constitution shall write or have printed on their ballots the words "*Against Ratification.*"

Par. II. The votes cast at said election shall be consolidated in each of the counties of this State, as is now required by law in elections for members of the General Assembly, and returns thereof made to the Governor ; and should a majority of all the votes cast at said election be in favor of ratification, he shall declare the said Constitution adopted, and make proclamation of the result of said election by publication in one or more newspapers in each Congressional District of the State, but should a majority of the votes cast be against ratification, he shall in the same manner proclaim the said Constitution rejected.

[In compliance with a resolution of the Convention the proof sheets of this Constitution were carefully revised and corrected by Hon. N. J. Hammond, for the Public Printer. This is, therefore, a correct copy of the instrument as adopted by the Convention.—JAS. P. HARRISON, Public Printer.]



ORDINANCES.



ORDINANCES.

AN ORDINANCE.

Be it ordained by the people of Georgia in Convention assembled:

1st. That the question of the location of the Capitol of this State be kept out of the constitution to be adopted by the Convention.

2nd. That at the first general election hereafter held for members of the General Assembly every voter may endorse on his ballot "Allanta" or "Milledgeville," and the one of these places receiving the largest number of votes shall be the Capital of the State until changed by the same authority and in the same way that may be provided for the alteration of the Constitution that may be adopted by the Convention, whether said Constitution be ratified or rejected. And that every person entitled to vote for members of the General Assembly, under the present Constitution and laws of this State, shall be entitled to vote under this ordinance; and, in the event of the rejection of said Constitution, shall (should) a majority of votes cast be in favor of Milledgeville, then this provision to operate and take effect as an amendment to the present Constitution.

AN ORDINANCE.

Be it ordained by the people of Georgia, in Convention assembled, and it is hereby ordained by authority of the same:

1st. That the article adopted by this Convention on the

subject of homestead and exemptions shall not form a part of this Constitution, except as hereinafter provided.

2nd. At the election held for the ratification or rejection of this Constitution, it shall be lawful for each voter to have written or printed on his ballot the words "Homestead of 1877," or the words "Homestead of 1868."

3d. In the event that a majority of the ballots so cast have endorsed upon them the words, "HOMESTEAD OF 1877," then said article, so adopted by this Convention, shall form a part of the Constitution submitted, if the same is ratified; but in the event that said Constitution, so submitted, shall not be ratified, then the article on homestead and exemptions so adopted as aforesaid by this Convention, shall supersede article seventh of the Constitution of 1868 on the subject of homestead and exemptions, and form a part of this Constitution.

4th. If a majority of the ballots so cast as aforesaid shall have endorsed upon them the words, "HOMESTEAD OF 1868," then article seventh of the Constitution of 1868 shall supersede the article on homestead and exemptions adopted by this Convention, and shall be incorporated in and form (a part) of the Constitution so submitted and ratified.

Read and adopted in Convention, August 22, 1877.

Attest:

C. J. JENKINS,
President Coustitutional Convention.

JAMES COOPER NISBET, *Secretary.*

AN ORDINANCE.

WHEREAS, a committee has been appointed by this Convention to consider and inquire into the ways and means by which the expenses of this Convention, over and above those provided for by the General Assembly, can be defrayed ; and, whereas, the committee are satisfied that a sufficient sum of money for the same can be procured by an ordinance of this Convention ; therefore,

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by authority of the same :

That the President of this Convention shall be, and he is hereby, empowered, by authority of this Convention, to negotiate a loan of a sufficient sum of money, at seven per cent. per annum, to defray the residue of the expenses of this Convention not provided for by the act of the General Assembly calling this Convention.

Read and adopted in Convention, August 18, 1877.

Attest :

C. J. JENKINS,

President Constitutional Convention.

JAMES COOPER NISBET, *Secretary.*

AN ORDINANCE.

Be it ordained by the people of Georgia, in Convention assembled :

1st. That the Constitution as adopted and revised be enrolled and signed by the officers and members of this Convention.

2d. That the Governor shall issue his proclamation, or

dering an election for members of the General Assembly, and a vote upon the ratification or rejection of this Constitution, as therein provided, and a vote upon the Capital and Homestead questions, as provided by the ordinances of this Convention.

Read and adopted in Convention, August 25th, 1877.

Attest :

C. J. JENKINS,

President Constitutional Convention.

JAMES COOPER NISBET, *Secretary.*

AN ORDINANCE.

There shall be sixteen Judicial Circuits in this State, and it shall be the duty of the General Assembly to organize and apportion the same in such manner as to equalize the business and labor of the Judges in said several circuits, as far as may be practicable. But the General Assembly shall have power hereafter to re-organize, increase, or diminish the number of circuits: *Provided*, however, that the circuits shall remain as now organized, until changed by law.

Read and adopted in Convention, August 23d, 1877.

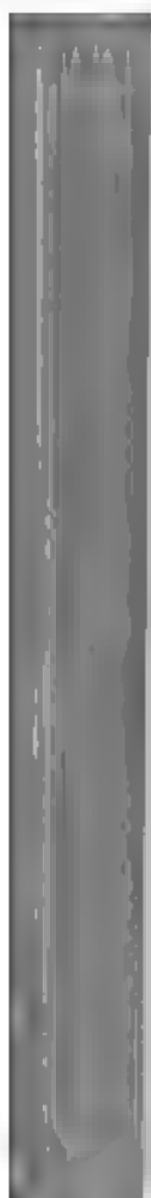
Attest :

C. J. JENKINS,

President Constitutional Convention.

JAMES COOPER NISBET, *Secretary.*

LIST OF MEMBERS.



LIST OF MEMBERS OF THE CONVENTION, WITH COUNTY, POST-OFFICE, NATIVITY, AND NUMBER OF YEARS IN GEORGIA.

NAME.	COUNTY.	POST-OFFICE.	NATIVITY.	NUMBER OF YEARS IN GEORGIA.
FIRST DISTRICT.				
Warren, J. L.	Chatham.	Savannah.	Laurens county, Ga.	Born 25th April, 1834.
Guerard, John M.	Chatham.	Savannah.	Savannah	Born there.
Keller, S. F.	Effingham.	No. 2 Central Railroad.	Georgia.	Sixty.
Lawton, A. R.	Chatham.	Savannah.	South Carolina.	Thirty-three.
Russell, Waring.	Chatham.	Savannah.	Georgia.	Fifty.
Screven, John.	Chatham.	Savannah.	Georgia.	Forty-nine.
Smith, A. G.	Bryan.	No. 2 Central Railroad.	Georgia.	Fifty.
Thompson, W. T.	Chatham.	Savannah.	Georgia.	Forty-five.
SECOND DISTRICT.				
Horne, H. F.		Liberty.	South Carolina.	Sixty.
Conley.				
Gignilliat, W. Robert.	McIntosh.	Darien.	McIntosh county.	Thirty-eight.
THIRD DISTRICT.				
Grace, C. C.	Wayne.	Screven.	Georgia.	Thirty-eight.
Hall.				
FOURTH DISTRICT.				
Mershon, M. L.	Glynn.	Brunswick.	Florida.	Nineteen.
Bachlott, J. R.	Charlton.	Centre Village.	Georgia.	Thirty-six.

LIST OF MEMBERS OF THE CONVENTION, WITH COUNTY, POST-OFFICE, NATIVITY, AND NUMBER OF YEARS IN GEORGIA—Continued.

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LIST OF MEMBERS.

NAME.	COUNTY.	POST-OFFICE.	NATIVITY.	NUMBER OF YEARS IN GEORGIA.
FIFTH DISTRICT.				
McDonald, W. A.....	Ware.....	Waresboro	Georgia.....	Sixty.
Spence, J. M.....	Coffee.....	Douglass.....	Georgia.....	Forty-three.
SIXTH DISTRICT.				
Stephens, B. L.....	Lowndes.....	Valdosta... ..	South Carolina.....	Twenty-five.
Knight, J. D.....	Berrien	Rays' Mills.....	Georgia.....	Thirty-seven.
SEVENTH DISTRICT.				
Seward, J. L.....	Thomas.....	Thomasville.....	Thomas county, Ga....	Sixty-three.
Creech, I. B.....	Brooks.....	Quitman.....	Georgia.	Forty-five.
Hansell.....	.....	.....	.....	.....
Gay, Henry.....	Colquitt.....	Moultrie.....	Georgia.....	Fifty-seven.
EIGHTH DISTRICT.				
Clifton, J. S.....	Miller.....	Colquitt.....	Georgia.....	Thirty-six.
Twitty, J. B.....	Mitchell.....	Camilla... ..	South Carolina.....	Seventeen.
Russell, B. E.....	Decatur.....	Bainbridge.....	Florida.....	Twenty-eight.
Donaldson, J. E.....	Decatur.....	Bainbridge.....	Georgia.....	Thirty-one.
NINTH DISTRICT.				
Hand, I. H.....	Baker.....	Leary.....	Georgia.....	Fifty-five.

Whiddon, G.....	Calhoun.....	Morgan.....	Georgia.....	Sixty-four.
Chancy, B.....	Early	Blakely.....	Georgia.....	Forty-seven.
TENTH DISTRICT.				
Tift, Nelson.....	Dougherty.....	Albany.....	Connecticut.....	Forty-seven.
Davis, J. A	Dougherty.....	Albany.....	Georgia.....	Forty-five.
Jenkins, R. R.....	.....	.....	.....	.....
Wells, William.	Lee.....	Smithville.....	South Carolina.....	Forty-three.
ELEVENTH DISTRICT.				
Sale, L. C. S	Randolph.....	Cuthbert.....	Georgia	Sixty.
Goff, D.....	Randolph	Cuthbert	North Carolina	Sixty.
Burnett, B. F.....	Clay.....	Fort Gaines.....	North Carolina.....	Twenty-nine.
Williams, S. L.....	Terrell....	Dawson.....	Georgia.....	Fifty-six.
TWELFTH DISTRICT.				
Wimberly, J. L.....	Stewart	Lumpkin.....	Georgia.....	Fifty-five.
Stokes, I. W.....	Stewart.....	Lumpkin.....	South Carolina.....	Forty-seven.
Guerry, T. L.....	Quitman.....	Georgetown.....	South Carolina.....	Sixty.
Harrell, D. B.....	Webster	Preston	Georgia.....	Forty-seven.
THIRTEENTH DISTRICT.				
Greer, A. H.....	Macon.....	Oglethorpe.....	Georgia.....	Fifty-seven.
Ellington, J. C.	Macon	Montezuma.....	Georgia	Forty-three.
Respass, John R.....	Schley.....	Ellaville	Georgia	Forty-five.
Scott, J. B.....	Sumter	Americus....	Georgia.....	Thirty-nine.
Cooper, George F....	Sumter	Americus.....	Georgia.....	Fifty-two.
Furlow, T. M.....	Sumter	Americus.....	Georgia.....	Sixty-three.
FOURTEENTH DISTRICT.				
Anderson, R. W.....	Pulaski.....	Hawkinsville.....	Georgia.....	Forty.

LIST OF MEMBERS OF THE CONVENTION, WITH COUNTY, POST-OFFICE, NATIV-
ITY, AND NUMBER OF YEARS IN GEORGIA—Continued.

NAME.	COUNTY.	POST-OFFICE.	NATIVITY.	NO. OF YEARS IN GEORGIA.
Swearingen, O. P.	Dooly	Vienna	Georgia	Fifty-eight.
McCrimmon . . . . .	. . . . .	. . . . .	. . . . .	. . . . .
Sapp, David.	Dodge	Dubois	Georgia	Fifty-four.
FIFTEENTH DISTRICT.				
McRea, M. N.	Telfair	Towns' Station	Georgia	Fifty-nine.
SIXTEENTH DISTRICT.				
McLeod, Neil.	Emanuel	Swainsboro.	Georgia	Sixty-five.
Hicks, J. H.	Johnson	Wrightsville	Georgia	Thirty-six.
Coney, J. T.	Laurens	Dublin	Georgia	Thirty-seven.
SEVENTEENTH DISTRICT.				
Perry, H. H.	Burke	Waynesboro.	Georgia	Forty-two.
Jones, W. B.	Burke	Birdsville	Georgia	Fifty.
Heath, J. B.	Burke	Girard	Georgia	Thirty.
Brannen, W. D.	Bulloch	Statesboro	Georgia	Fifty-five.
Dell, John C.	Screven	Sylvania	Georgia	Thirty-six.
EIGHTEENTH DISTRICT.				
Jenkins, C. J.	Richmond	Augusta	South Carolina	Sixty-one.
May, R. H.	Richmond	Augusta	Georgia	Fifty-four.
Sibley, George R.	Richmond	Augusta	Augusta, Georgia.	Thirty-eight.

Johnson, Adam.....	Richmond.....	Richmond Factory.....	Charleston, S. C.	Forty-seven.
Cain, J. G.....	Jefferson.....	Louisville, Georgia.....	Georgia.....	Forty-two.
Phillips, D. G.....	Jefferson.....	Louisville, Georgia.....	Salisbury, N. C.....	Twenty-eight.
Braddy, W. G.....	Glasscock.....	Gibson, Georgia.....	Georgia.....	Fifty.

4 NINETEENTH DISTRICT.

Lewis, Miles W.....	Greene.....	Greensboro.....	Georgia.....	Fifty-seven.
Sanders, Dennis N.	Greene.	Greensboro.....	Georgia.....	Thirty-eight.
Heard, Columbus.....	Greene.....	Greensboro.....	Georgia.....	All the time.
Johnson, J. S.....	Warren.....	Warrenton.....	Georgia.....	Fifty-two.
Bristow, George F.....	Taliaferro.....	Crawfordville.....	Georgia.....	Fifty-two.

TWENTIETH DISTRICT.

Furman, F. C.....	Baldwin.....	Milledgeville.....	Georgia.....	Thirty-one.
Newell, T. F.....	Baldwin.....	Milledgeville.....	Georgia.....	Thirty-eight.
Warthen, Richard Lee.....	Washington.....	Sandersville.....	Georgia.....	Fifty.
Hollifield, H. N.....	Washington.....	Sandersville.....	Maryland.....	Twenty-five.
DuBose, C. W.....	Hancock.....	Sparta.....	South Carolina.....	Forty-six.
Pierce, George F. Jr.....	Muscogee.....	Sparta.....	Georgia.....	Thirty-four.

TWENTY-FIRST DISTRICT.

Grier, E. C.....	Jones.....	Griswoldville.....	North Carolina.....	Twenty-three.
Hamilton, A. S.....	Jones.....	Clinton.....	Georgia.....	Forty.
Coats, E. J.....	Wilkinson.....	Irwinton.....	Georgia.....	Thirty-nine.
Chambers, F.....	Wilkinson.....	Irwinton.....	Georgia.....	Thirty-five.
Edge, P. W.....	Twiggs.....	Jeffersonville.....	Georgia.....	Twenty-eight.

TWENTY-SECOND DISTRICT.

Ross, W. H.....	Bibb.....	Macon.....	Georgia.....	Forty.
Lofton, William A.....	Bibb.....	Macon.....	Georgia.....	Forty-nine.
Simmons, T. J.....	Bibb.....	Macon.....	Georgia.....	Thirty-nine.

LIST OF MEMBERS OF THE CONVENTION, WITH COUNTY, POST-OFFICE, NATIV-
ITY, AND NUMBER OF YEARS IN GEORGIA--Continued.

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LIST OF MEMBERS.

NAME.	COUNTY.	POST-OFFICE.	NATIVITY.	NO. OF YEARS IN GEORGIA.
Hammond, A. D.....	Monroe.....	Forsyth.....	Georgia.....	Forty-three.
Ponder, L. A.....	Monroe.....	Forsyth.....	Georgia.....	Forty-eight.
Bush, W. H. H.....	Monroe.....	Barnesville.....	Georgia.....	Thirty-seven.
Hunt, J. A.....	Pike.....	Barnesville.....	Georgia.....	Thirty-six.
Barrett, F. J.....	Pike.....	Fincher.....	Georgia.....	Forty-six.
TWENTY-THIRD DISTRICT.				
Warren, Eli.....	Houston.....	Perry.....	Georgia.....	Born in Burke co 1801
Tharpe, B. F.....	Houston.....	Perry.....	Georgia.....	Fifty-eight.
Davis, J. M.....	Houston.....	Perry.....	Georgia.....	Sixty.
Wallace, W. S.....	Taylor.....	Butler.....	Georgia.....	Forty-eight.
Sanford, B. W.....	Crawford.....	Fort Valley.....	Georgia.....	Thirty-eight.
Stroud, —.....	.....	.....	.....	.....
TWENTY-FOURTH DISTRICT.				
Fontaine, Francis.....	Muscogee.....	Columbus.....	Georgia.....	Thirty-one.
Ingram, Porter.....	Muscogee.....	Columbus.....	Vermont.....	Forty-one.
Little, W. A.....	Muscogee.....	Columbus.....	Georgia.....	Thirty-eight.
Hewell, John W.....	Chattahoochee.....	Jamestown.....	Georgia.....	Fifty-two.
Wilson, James D.....	Marion.....	Pineville.....	Georgia.....	Forty-five.
TWENTY-FIFTH DISTRICT.				
Flewellen, E. A.....	Upson.....	Thomaston.....	Georgia.....	Fifty-seven.
Dickey, John.....	Upson.....	Thomaston.....	Georgia.....	Sixty-three.

Mobley, J. M.....	Harris.....	Hamilton.....	Georgia.....	Fifty-four.
Hudson, W. I.....	Harris.....	Hamilton.....	Georgia.....	Fifty-four.
Gorman, ———.....	Talbot.....	Geneva.....	Georgia.....	Forty-eight.
Willis, J. T.....	Talbot.....	Talbotton.....	Georgia.....	Forty-one.
TWENTY-SIXTH DISTRICT.				
McCallum, J. H.....	Butts.....	Worthville.....	Georgia.....	Thirty-four.
Dismuke, F. D.....	Spalding.....	Griffin.....	Georgia.....	Forty-one.
Westmoreland, C. S.....	Spalding.....	Griffin.....	Georgia.....	Sixty-six.
Rodgers, R. R.....	Fayette.....	Brooks Station.....	Georgia.....	Forty-eight.
TWENTY-SEVENTH DISTRICT				
Rosser, E. B.....	Rockdale.....	Conyers.....	Georgia.....	Fifty-eight.
Pace, J. M.....	Newton.....	Covington.....	Georgia.....	Forty-one.
Porter, O. S.....	Newton.....	Covington.....	Georgia.....	Thirty-nine.
Gibbs, T. A.....	Walton.....	Social Circle.....	Georgia.....	Fifty-six.
Jackson, A. B.....	Oconee.....	Watkinsville.....	Georgia.....	Fifty-eight.
Barrow, Pope.....	Clarke.....	Athens.....	Georgia.....	Thirty-eight.
TWENTY-EIGHTH DISTRICT.				
Lawson, Thomas G.....	Putnam.....	Eatonton.....	Georgia.....	Forty-two.
Nisbet, R. B.....	Putnam.....	Eatonton.....	Georgia.....	Forty-seven.
Reese, A.....	Morgan.....	Madison.....	Georgia.....	—
Hill, Joshua.....	Morgan.....	Madison.....	Georgia.....	Sixty-five.
Key, John C.....	Jasper.....	Monticello.....	Georgia.....	Fifty-one.
TWENTY-NINTH DISTRICT.				
Toombs, Robert.....	Wilkes.....	Washington.....	Georgia.....	Sixty-seven.
Reese, W. M.....	Wilkes.....	Washington.....	Pennsylvania.....	Thirty-five.
Casey, H. R.....	.....	.....	.....	—
Mercier, J. N.....	Lincoln.....	Lincolnton.....	Georgia.....	Forty-four.

LIST OF MEMBERS OF THE CONVENTION, WITH COUNTY, POST-OFFICE, NATIVITY, AND NUMBER OF YEARS IN GEORGIA—Continued.

LIST OF MEMBERS.

NAME.	COUNTY.	POST-OFFICE.	NATIVITY.	NO. OF YEARS IN GEORGIA.
Hudson, P. C.	McDuffie.....	Thomson	Georgia.....	Twenty-six.
THIRTIETH DISTRICT.				
Mathews, J. D.....	Oglethorpe.....	Lexington.....	Georgia	Forty-nine.
Johnson, W. G.....	Oglethorpe	Lexington.....	Georgia.....	Forty-one.
Scott, W. W.....	Walton.....	Danielsville.....	Georgia.....	Fifty-seven.
Mattox, W. H.....	Elbert.....	Heardmont.....	Georgia.....	Forty-one and a half.
THIRTY-FIRST DISTRICT.				
Osborne, D. O.....	Franklin.....	Carnesville.....	Georgia.....	Forty-three.
Moseley, S. H.....	Habersham.....	Toccoa.....	Georgia.....	Forty-two.
Underwood, T. G.....	Franklin.....	Eastanalla.....	Georgia.....	Fifty.
THIRTY-SECOND DISTRICT.				
Underwood, A. F.....	White.....	Cleveland.....	Georgia.....	Fifty-two.
Boyd, Wier.....	Lumpkin.....	Dahlonega.....	Georgia.....	Fifty-six.
THIRTY-THIRD DISTRICT.				
Bryan, M.....	Hall.....	Gillsville.....	South Carolina	Fifty-seven.
Graham, M.....	Hall	Flowers Branch.....	South Carolina.....	Forty-nine.
Camp, D. A.....	Jackson.....	Mulberry.....	Georgia.....	Fifty.
Shepherd, John J.....	Banks.....	Harmony.....	South Carolina.....	Twenty-seven.

THIRTY-FOURTH DISTRICT.				
Winn, R. D.	Gwinnett	Lawrenceville	Georgia	Sixty-one.
Howell, S. G.	Gwinnett	Duluth	Georgia	Fifty-two.
Polk, James.	DeKalb	Doraville	Georgia	Seventy-two.
Winn, L. J.	DeKalb	Decatur	Georgia	Thirty-seven.
Tye, L. M.	Henry	McDonough	North Carolina	Thirty-eight.
THIRTY-FIFTH DISTRICT.				
Gartrell, L. J.	Fulton	Atlanta	Georgia	Fifty-six.
Mynatt, P. L.	Fulton	Atlanta	Tennessee	Fourteen.
Collier, John.	Fulton	Atlanta	Georgia	All my life.
Hammond, N. J.	Fulton	Atlanta	Georgia	Forty-three.
Crane, Benj. E.	Fulton	Atlanta	Georgia	Forty-one.
Spence, J. T.	Clayton	Jonesboro	Fayetteville	Thirty.
McIntosh, A. C.	Cobb	Powder Springs	Georgia	Forty-five.
Roberts, George.	Cobb	Marietta	South Carolina	Thirty-five.
Robertson, James W.	Cobb	Marietta	Georgia	Forty-seven.
THIRTY-SIXTH DISTRICT.				
Glover, J. P.	Douglas	Douglasville	Georgia	Forty-nine.
Logino, J. T.	Campbell	Palmetto	North Carolina	Sixty.
Buchanan, H.	Coweta	Newnan	Scotland	Thirty.
Featherston, L. H.	Coweta	Newnan	Tennessee	Thirty-six.
Phillips, W. A. J.	Meriwether	Hogansville	Georgia	Sixy-nine.
Render, R. D.	Meriwether	Greenville	Georgia	Thirty-five.
THIRTY-SEVENTH DISTRICT.				
Tuggle, W. O.	Troup	LaGrange	Georgia	Thirty-five.
Swanson, N. G.	Troup	LaGrange	Georgia	_____
Hardy, L. L., Sr.	Troup	LaGrange	Georgia	Forty-eight.
Harris, S. W.	Carroll	Carrolton	Alabama	_____

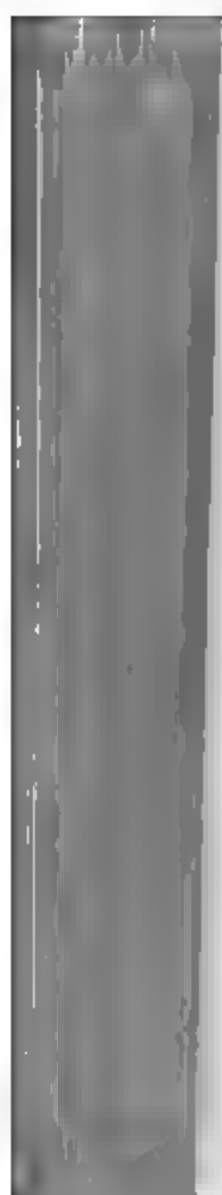
LIST OF MEMBERS OF THE CONVENTION, WITH COUNTY, POST-OFFICE, NATIVITY, AND NUMBER OF YEARS IN GEORGIA—Continued.

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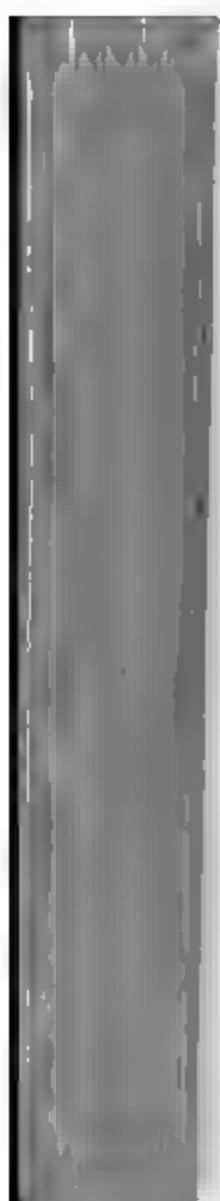
LIST OF MEMBERS.

NAME.	COUNTY.	POST-OFFICE.	NATIVITY.	NO. OF YEARS IN GEORGIA.
Rowe, —	Carroll	Villa Rica	Georgia	Fifty-nine.
Awbrey, T. M.	Heard	Houston	Georgia	Fifty-nine.
THIRTY-EIGHTH DISTRICT.				
Tumlin, N. J.	Polk	Cedar Town	Georgia	Forty-two.
Denton, J. G.	Paulding	Dallas	Georgia	Forty-five.
Head, W. J.	Haralson	Buchanan	Georgia	Forty-nine.
THIRTY-NINTH DISTRICT.				
Brown, J. R.	Cherokee	Canton	South Carolina	Thirty-eight.
Holcombe, A. W.	Milton	Norcross	South Carolina	Twenty-eight.
Field, E. E.	Cherokee	Canton	South Carolina	Thirty-seven.
Clark, Oliver.	Forsyth	Brown's Bridge	Georgia	Forty-four.
FORTIETH DISTRICT.				
Wellborn, C. J.	Union	Blairsville	Georgia	Forty-one.
Stevens, J. G.	Towns	Mount Eolia	South Carolina	Thirty-nine.
FORTY-FIRST DISTRICT.				
Garren, David.	Gilmer	Ellijay	North Carolina	Twenty-five.
Henry, E. J.	Fannin	Morganton	North Carolina	Thirty-four.
Day, W. T.	Pickens	Jasper	Georgia	Forty-seven.

FORTY-SECOND DISTRICT.				
Wofford, W. T.....	Bartow.....	Cartersville.....	Georgia.....	Fifty-four.
Hawkins, J.....	Chattooga.....	Summerville.....	Georgia.....	Fifty-six.
Johnson, Abda.....	Bartow.....	Cartersville.....	Georgia.....	Fifty.
Fitten, John H.....	.....	.....	.....	—
Wright, A. R.....	Floyd.....	Rome.....	Georgia.....	Sixty-three.
Hamilton, D. B.....	Floyd.....	Rome.....	Georgia.....	—
Bass, N.....	Floyd.....	Rome.....	Georgia.....	Sixty-eight.
FORTY-THIRD DISTRICT.				
Carter, Samuel.....	Murray.....	Spring Place.....	Georgia.....	Fifty.
Moore, William K.....	Whitfield.....	Dalton.....	Virginia.....	Thirty.
Trammell, L. N.....	Whitfield.....	Dalton.....	Georgia.....	Forty-seven.
Fain, J. C.....	Gordon.....	Calhoun.....	Georgia.....	Thirty-eight.
FORTY-FOURTH DISTRICT.				
Paris, R. M.....	Dade.....	Wildwood.....	Tennessee.....	Thirty.
McFarland, T. G..	Walker.....	Chattanooga, Tenn.....	Georgia.....	Seventy.
Lowe, N.....	Catoosa.....	Tunnel Hill.....	Tennessee.....	Twenty-two.
J. C. Nisbet, Sec'y Con'v'n.	Dade.....	Cloverdale.....	Georgia.....	Thirty-eight.
C. H. Williams, Ass't Sec'y.	Muscogee.....	Columbus.....	Georgia.....	Twenty-eight.
M. A. Harden.....	Bartow.....	Kingston.....	Georgia.....	Forty-six.



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